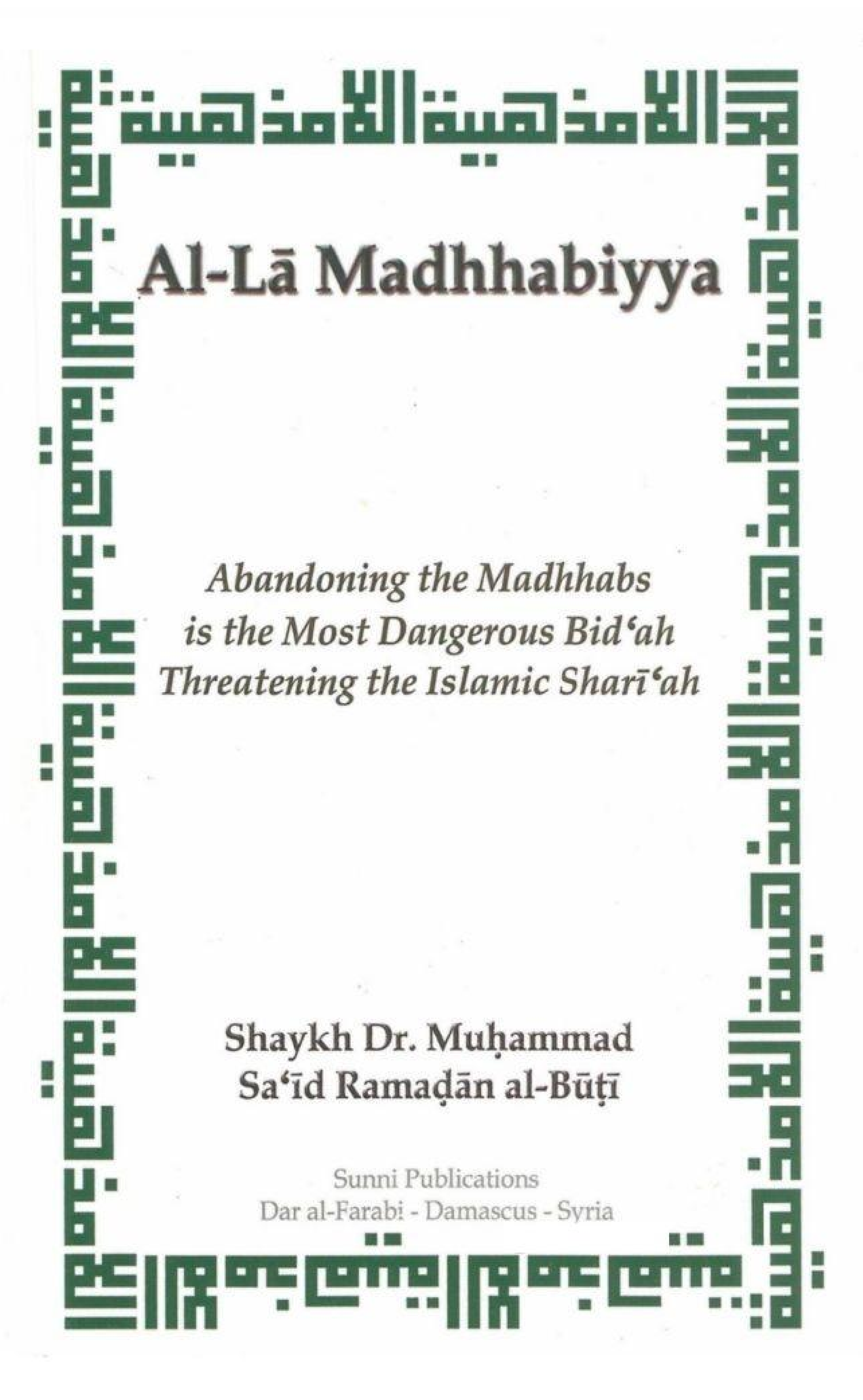


Al-Lā Madhhabiyya

Abandoning the Madhhabs is the Most Dangerous Bid'ah Threatening the Islamic Sharī'ah

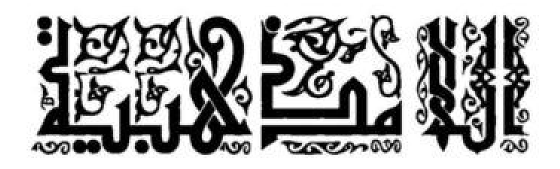
Shaykh Dr. Muḥammad Sa'īd Ramaḍān al-Būṭī

Sunni Publications
Dar al-Farabi - Damascus - Syria



IN THE NAME OF ALLAH
MOST GRACIOUS, MOST MERCIFUL

May Peace and Blessings be upon His beloved, our Master Muḥammad, and upon his Family and all of his Companions.



Al-Lā Madhhabiyya

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Dr. M.S.R. al-Būṭī

Translated by: M. Merza, M.A. Absi & S. Abdul Aziz
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info@sunnipubs.com

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Transliteration Table

ا/آ/ى	ā	ظ	ẓ
ب	b	ع	‘
ت	t	غ	gh
ث	th	ف	f
ج	j	ق	q
ح	ḥ	ك	k
خ	kh	ل	l
د	d	م	m
ذ	dh	ن	n
ر	r	ه	h
ز	z	و	w/ū
س	s	ي	y/ī
ش	sh	ة	/t
ص	ṣ	ء	’
ض	ḍ	أ	a/u
ط	ṭ	إ	i

Publisher's Foreword

In the Name of Allah, Most Gracious, Most Merciful

It was in the month of Ramaḍān 1427 H. that we first set into motion our plan of publishing in English the seminal work, *Al-Lā Madhhabiyya: Abandoning the Madhhabs is the Most Dangerous Bid'ah Threatening the Islamic Sharī'ah* written by one of the greatest scholars we have in our midst, Shaykh Dr. Muḥammad Sa'īd Ramaḍān al-Būṭī (may Allah preserve him). By the grace of Allah, one year on, we have the fruit of our efforts before us. We are truly honoured to have facilitated the publication of this groundbreaking book in jurisprudential methodology whose translation into English we felt was long overdue.

We pray Allah preserve our Shaykh, Dr. Muḥammad Sa'īd Ramaḍān al-Būṭī, and allow us to continue to benefit from him. We ask Allah to shower his blessings upon the author's father, the erudite Mullā Ramaḍān al-Būṭī ﵀ and pray that his son, Ustādh Muḥammad Tawfīq Ramaḍān al-Būṭī, carries on in their family's great legacy of scholarship.

We thank Allah for aiding us in the publishing of this book, and request those who benefit from it to pray for all those who supported us.

Sunni Publications
Shawwāl 1428
October 2007

About the Author



Shaykh Dr. Muḥammad Sa'īd Ramaḍān al-Būṭī was born in 1929 near the village of Jilka, Būṭan (Turkish Kurdistan). In 1933 he migrated to Damascus (Syria) together with his father, Mullā Ramaḍān ﷺ. There the Shaykh followed his father's footsteps in becoming a leading Shāfi'ī scholar of this blessed city. In Damascus Shaykh al-Būṭī completed his secondary studies at the Institute of Islamic Guidance after which he joined the Faculty of Religion at al-Azhar University receiving his degree in 1955. The following year, he joined the Faculty of Arabic at al-Azhar. He was appointed as Dean in the Faculty of Religion at Damascus University in 1960, and deputed to al-Azhar University for his doctorate in *uṣūl al-fiqh*. In 1965 he was appointed as an instructor in the College of Law at Damascus University. Later, he was appointed as its Dean, then as the Chief of the Department of Tenets and Religions, and finally as the Head of the Beliefs and Religions Department at the Faculty of Islamic Law. Shaykh al-Būṭī is an active participant in many conferences and symposia. He is a member of the Royal Society of Islamic Civilization Research in Amman, as well as the High Council of Oxford Academy. He lectures regularly in the mosques of Damascus and other Syrian cities. Thousands attend his lectures, in addition to the millions that watch his weekly lectures on Iqra Satellite Television. He writes in several newspapers and journals, and gives Islamic rulings for the masses. Shaykh al-Būṭī has written over forty books on the sciences of religion, society and many other subjects.

In the Name of Allah, Most Gracious, Most Merciful

I thank Allah for His bounties, and pray for mercy
and peace be upon our Prophet, his Family,
Companions, and Followers.

O Allah, I seek refuge in You lest You entrust me to myself
to know what I know, and to learn what I know not.

O Allah, I seek refuge in You lest anything I write contains
hidden desires of the self, or abominable bigotry
whose source is Satan or caprice.

O Allah, I ask that You keep the lines of communication open
between us and our brothers in a way that would be helpful for
us to remove the veils standing between vision and insight.

O Allah, I ask that you banish from our hearts any obsessions
or ill-intentions toward one another.

I ask You, O Allah, to grant us sincerity so that our main
purpose in whatever we do would be to please You. Indeed
You are Most Forgiving, Most Merciful.

- Muḥammad Sa'īd Ramaḍān al-Būṭī

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Introduction to the English Translation

If the bond that binds together the whole human family with the Muslim oasis is the true belief in Allah, the One that is Singular and Unique in His Essence and Perfect in His Attributes, then the bond that binds Muslims together, safeguarding them from divisions in conduct which may lead them into the deviant winds of desire, is the submission to Allah's command:

"Ask the people of the Reminder if you do not know."
[Holy Qur'ān 16: 43]

The emergence of the widely accepted Madhhabs of *fiqh* throughout the history of Islamic jurisprudence, starting with the days of the Companions till now, as well as the affinity Muslim laymen – who were incapable of conducting research in *fiqh* matters – had to them, were no more than the submission to this everlasting Divine decree.

Perhaps those in the West who are embracing Islam are at the forefront of the ones in need of knowing this fact so that they can abide by it. My thanks go to the brothers who felt this need, and decided to translate this reminder of mine *al-Lā Madhhabiyya*, and produce and publish it in these lands. I ask that Allah ﷻ make all our deeds genuine in serving Him.

Damascus, 23rd Rabī' al-Thānī 1428/ April 18, 2007
Muḥammad Sa'īd Ramaḍān al-Būṭī

Shaykh al-Būṭī's Handwritten Introduction

إذا كان حزام الأسرة الإنسانية الذي يجمعها في واحة السلام، هو الإيمان الحقيقي بالله الواحد في ذاته الكامل في صفاته، فإن حزام الأسرة الإسلامية الذي يجمعها من شتات، ويقيها بلاء التفرقة السلوكي في جهل الأهواء الجانحة هو الانقياد لأمر الله القائل «فاسألوا أهل الذكر إن كنتم لا تعلمون»

وما كان ظهور المذاهب الفقهية المعتمدة، في تاريخ التشريع الإسلامي، وما كان ليحصل ارتباط سواد الأمة الإسلامية بها، ممن لا قدرة لهم على الاجتهاد الفقهي، بدءاً من عصر الصحابة إلى يومنا هذا، إلا انقياداً لهذا الخطاب الإلهي الآمر، وإلى ما بقي الدهر.

ولعل الكثرة التي تدخل اليوم في دين الله تعالى، في ربوع الغرب، هي مقدمة من يحتاجون إلى معرفة هذه الحقيقة ثم إلى الانضباط بها.

فالشكر كل الشكر للإخوة الذين شعروا بهذه الحاجة وأقبلوا إلى ترجمة كتابي هذا «اللامذهبية» ونشطوا لإخراجها ونشرها في تلك الربوع. سائلاً الله تعالى أن يجعل أعمالنا خالصة لوجهه

محمد سعيد رمضان البوطي

Shaykh al-Būṭī's Fatwā on Following a Madhhab

Does a Muslim have to follow one of the four Madhhabs? He has to as long as he is incapable of *ijtihād* in the evidences of rulings, and as long as he does not become a bigot in his *taqlīd*. If he so desires he may follow one specific Madhhab.

How then does bigotry manifest itself? It is when someone sees the evidence, understands it according to the scholarly criteria established for it – in which he attained expertise, yet he abandons that evidence for the sake of the Madhhab he ascribes to.

Is the gate of ijtihād open or closed today? It is wide open, as it has always been; and no one has the authority to close it. It had and still has, its conditions and restrictions, and none can tamper with them.

Is this the time for stirring up arguments over minor religious matters like this one? When a minor religious issue becomes a sharp weapon in the hands of those who try to attack the basic principles upon which the religion is founded, it would be naïve to consider this a minor issue. When saying that Ḥanafī *fiqh* is something alien to Islamic Sharī'ah is considered a minor issue; when there is a deliberate and planned effort to shake the confidence people have in the Imāms of *fiqh*, calling them ignorant and describing their books as 'rusty' and yet we consider the matter to be a minor issue; well, then, according to that, all of [our] *dīn* (religion) has become a minor issue…!

Introduction to the First Edition

I wish that someone sincere would save me from writing about this topic. For so long, I have desired that I not be distracted by things that prevent [me from] focusing on the big issues pertaining to Muslims nowadays. Issues such as the various ills they have been afflicted with shattering their unity, subjecting them to humiliation, and threatening their very survival unless they hurry and seek treatment immediately. Indeed, I have tried not to get distracted or let my pen be distracted from this serious condition by other smaller, less urgent, more trivial, and rather obvious matters.

But what can you do when someone drags these trivial and obvious matters to the forefront, turning them into controversial issues, and forcing them upon you as impediments to your dealing with those bigger, more urgent issues? It is as though you were trying to rush a bleeding person to the nearest hospital, but on the way you were stopped by those who wish to take away this injured person to give him a bath and perform plastic surgery on him, instead of helping his wounds heal. Can you save this person's life by any other means save by warning him not to follow the advice of this crazy person, before rushing him to the nearest doctor?

Today's Muslims suffer from many ailments such as atheistic thought, immoral conduct and distraction from [Islamic] principles. Muslim scholars and thinkers, and whoever is concerned about Islam, need to focus on these issues, but what do they do when other less important matters stand in the way? These are issues not worthy of wasting time over, thereby creating more problems than solutions. How would you deal with such issues, if you turn around only to find that between you and those whom you are trying to guide back into the path of *īmān* (faith) and its spiritual wayfaring stand other issues

which lead them into endless confusion? Issues such as the claim that *taqlīd* (following) of the four Imāms is *kufr* (disbelief), and following a particular Madhhab is *ḍalāl* (heresy) and tantamount to taking the Imām of that Madhhab as a lord besides Allah ﷻ!

Today's Muslim, in light of such claims, starts looking back at the history of Muslims and their notables and ranks, only to find that it was replete with apostates, heretics and deviants. He who has taken Islam from them, and was influenced by his affinity to them, is now taking the risk of trying to free himself from following the four Imāms. He now tries to understand the Islamic Sharī'ah from its primary sources, the Qur'ān and the Sunnah, only to find out that he, among others who are doing the same thing, is fishing in troubled water, swimming in deep water, and sinking in ignorance. How can *ijtihād* be allowed for him and how can it produce any result, when he cannot grasp the result of previous [*ijtihāds*]?

I am not making things up. This is a tangible reality that I see with my own eyes. One of the students at the Faculty of Arts, in the University of Damascus, approached me and told me that he was a new practitioner of Islam and that he had read a booklet on the *fiqh* of Imām al-Shāfi'ī, and had been following his Madhhab. But then he read a *Kurrās* (Pamphlet) which claimed that it was unlawful for a Muslim to follow any of the four Madhhabs, and if he did, he would fall into disbelief and go astray from the path of Islam. It maintained that a Muslim should take rulings directly from the Qur'ān and the Sunnah. The student explained to me that he could not read the Qur'ān as it should be read, not to mention that he was ignorant of its meanings and legal rulings therein. He asked me what to do.

What should be my answer? Should I say that I am too busy with more important and urgent matters pertaining to Muslims

to answer such a trivial and minor issue? Should I prevent myself from talking about this for fear that I might create more needless divisions in the ranks of Muslims? Is it really negligible, and can I deal with the more urgent issues showing people their solutions without having to say a word concerning the problem preoccupying the mind of this university student? Is it only one person that I could take aside, guide him to the truth, thereby avoiding stirring up divisions? Rather, there are hundreds of such people whom the *Kurrās* has managed to confuse, making them less certain about their history, and more ignorant of the reality of their Islam.

So there is a need to discuss this topic in the open, and it should be considered a part of the other major issues. This course of action has been imposed on us by a group of people who are no different, in our analogy about rushing an injured person to the hospital, from those who want to take a bleeding person and perform plastic surgery on him instead of helping his wounds heal. We would be crazy to close our eyes and be silent about this while arguing that stirring up differences would be harmful to this sick person. We would be mad to think that we should remain silent, and leave these people to do as they like. No. We will not remain silent and leave them to do as they like using this flimsy excuse.

It becomes incumbent upon us to speak the truth in this matter. The least we can do is to warn the patient not to surrender to their tricks and falsehoods. It is quite unfortunate that we have to get into needless issues. Muslims have all along known, since early times, that people are divided into *mujtahids* (independent jurists) and *muqallids* (followers), and that a *muqallid* needs to follow one of the *mujtahids*, irrespective of whether he decides to do so all his life or switch to other *mujtahids*. This was the case until there appeared a group of people in our times that brought a strange new legislation

maintaining that following a *mujtahid* in particular is disbelief. According to them, following the Qur'ān and the Sunnah amounts to following that which is Divinely protected from error, while following one of the four Imāms amounts to following that which is not Divinely protected. Based on this, it is necessary for everyone to follow that which is Divinely protected from error and to stay away from following that which is not Divinely protected. Every intelligent person in the world knows that if people knew how to follow the Divinely protected from error, and the means to understand His ﷻ intent, they would not have been divided into these two categories – *muqallids* and *mujtahids* – in the first place. Allah ﷻ would not have ordered the laymen to "ask the people of the Reminder if you do not know." Allah ﷻ has ordered them to follow those who know in spite of the fact that they are not Divinely protected from error. He ﷻ did not order them to go back directly to the expressions of the Book and the Sunnah even though they both are infallible.

It is truly unfortunate that we have to restate something that can be understood by any intelligent person. However, we find ourselves obligated to do that, after someone (who chose to withhold his name) published a *Kurrās* titled: *Hal al-Muslim Mulzam bi-Ittibā' Mu'ayyan min al-Madhāhib al-Arba'a?* (Should a Muslim Follow a Particular Madhhab?). He attributed it to Muḥammad Sulṭān al-Ma'ṣūmī al-Khajnadī al-Makkī, a teacher at the Grand Mosque in Mecca. In summary, the author of the *Kurrās* describes those who follow the *mujtahid* Imāms as ignorant, misguided, and among those who have divided their religion into parties, [citing the verse:] "They have taken their rabbis and priests as lords besides Allah." [Holy Qur'ān, 9:31]. He maintains that such people are the losers whose deeds are in vain in this life, although they believe they are doing the right thing.

The publisher, who chose to withhold his name, started promoting his *Kurrās* among Muslims from all walks of life. Many of them approached me asking me what to do. One of them was quite happy to tell us that what we have been tiring ourselves out with teaching and calling Islamic *fiqh* and Sharī'ah, amounts to no more than the understanding of the *mujtahid* Imāms of the Madhhabs, and this is no more than the result of their thoughts in jurisprudence, which they related to the Qur'ān and the Sunnah! He showed me the evidence of what he said from the *Kurrās*, quoting:

> As we have mentioned, Islam consists of basic tenets and pillars any bedouin could understand in minutes, and could easily apply in his life. Why is it that you claim Islam to contain a well-spring of civil, criminal, and international legislations? Why do you claim Islam is both a state and a religion?

[This person said:] "Here is proof of the falsehood of your claim provided by no other than the teacher at the Grand Mosque."

What am I to do in this unfortunate situation? Should I remain silent, and appease those who believe there are more pressing issues than this to be concerned about, and that such an issue is a distraction from those other more important matters? Is there any matter more important than addressing the confusion of those people whose situation, or rather only part of whose situation I described? Is there any matter more urgent than clarifying that the thousands of the well known adherents of the Shāfi'iyya, and the renowned adherents of Mālikiyya, Ḥanbaliyya, and Ḥanafiyya, are neither disbelievers nor heretics, nor are they ignoramuses? They are the Imāms of the Muslims credited for their defense of Islamic Sharī'ah, and for relaying it to people. Is there anything more important than

pointing out to the person who found what he was looking for all along in this *Kurrās*, echoing boldly the view propagated by the German Orientalist [Joseph] Schacht who is well-known for his hatred of Islam, that Islamic *fiqh* is not merely the product of the minds of the Imāms who wished to attribute their works to the Qur'ān and the Sunnah? Schacht would probably be pleased to support his view using the same evidence used by the author of the *Kurrās* at the beginning of his booklet, [namely] that Islam is very basic and understandable by any bedouin in a matter of minutes, after which he would say: "I need no more than that, so where did all of these rules come from?"

Is there anything more urgent than addressing the foolishness, delusion, and ignorance engulfing such a claim? I will address such falsehoods, and show the truth in this matter. I will however abstain from the type of insulting language found in the *Kurrās*. I will abstain from labeling people disbelievers, misguided, ignorant, and blind followers. Rather, I will explain everything in an objective manner free from fanaticism or bigotry, which is the source of all troubles facing researchers nowadays and throughout the ages.

I ask that Allah ﷻ guide us to His righteous path, purify our souls from any grudge, bigotry, or treachery. He ﷻ is indeed Most Kind, Most Knowing.

Muḥammad Sa'īd Ramaḍān al-Būṭī
Damascus, 23rd Dhūl Qa'da 1389

Introduction to the Second Edition

1- I hesitated a great deal regarding the republishing of this book. I asked myself whether by doing so I would be undermining the unity of Muslims. I asked myself if any of the words I have written carried any insult towards anyone, or whether what I have written did not stand up to the scholarly and objective manner of research, but instead went into name calling and nonsensical sophist rhetoric which does nothing but sow the seed of hatred in the self, and does nothing to remove suspicion in the mind.

As for the possibility of my book not sizing up to the objective scholarly standard of discussion while name calling others, I re-read everything, at times through the eyes of an opponent, and at other times through a perspective detached from any bias. I could not – and to Allah belongs all praise – find any insult against anyone. As far as undermining the unity of Muslims is concerned, I re-read a lot of the letters I received from people of all walks of life, showing a wide spectrum of opinions as to how they received the book.

I found out that, on the contrary, the book has managed to receive two opposite reactions, thereby helping the two extreme reactions to come to a middle ground free from fanaticism.

Some of the readers were those who understood the four Madhhabs in a way that was full of bigotry to the point that a Shāfi'ī among them would not pray behind a Ḥanafī, and would not allow himself to abandon the Madhhab of his Imām in a matter whose evidence he investigated and clearly understood. When such people read the book, they banished their bigotry, managed to have clarity of vision, and joined the middle path of moderation.

Among the readers were also those who were quite ignorant in the way they understood the four Madhhabs as competing with the Madhhab of our Prophet ﷺ. Therefore, they felt that such Madhhabs stood between them and the Sharī'ah of the Prophet ﷺ, and that they [i.e. the Madhhabs] try to distract them from turning to his Sharī'ah. They felt it was incumbent upon them, since they were motivated by faith, to remove such harmful competitive barriers between themselves and the Prophet ﷺ. They took a closer look at the ignorance they have had before reading the book, and found out that the four Madhhabs were only necessary ladders to ascend to the understanding of the Guiding Message of the Prophet ﷺ. Such Madhhabs, they found out, were far from being competitive barriers, and upon such realisation they too found themselves meeting others on the straight path of moderation.

From the many letters I received, and through meeting many readers, I have come to realise these two trends which comprised a lot of people who were astray, but later adopted the wide and spacious path longed for by every Muslim.

I ask myself, have I caused any divisions in the ranks of Muslims, or have I made them stronger? Have I wreaked confusion and differences among them, or have I helped them out of their confusion and led them to lucidity and sound insight?

2- It is possible for you to say that there were those who were not happy with what I had written. They perceived a danger in it, threatening the unity of Muslims and the safety of their beliefs. Some decided not to read it, and others went to the point of discouraging others from reading it. This is true, there were those who did that. Some of them described my book with words that pens are ashamed to repeat. To them, I was a forging liar.

This, however, does not mean that I have not managed to salvage the ideas of many people who were confused. It does not mean that I have not helped them see the path of truth which our righteous ancestors, generation after generation, have never deviated from, since the early period of Islam till now.

Those are the same people that maintain that the four Madhhabs are *bid'ahs* (innovations) and they describe the books of the four Imāms as 'rusty'. In spite all of what they say, it remains a fact unanimously agreed upon by Muslims, generation after generation, that the four Madhhabs are the very core and jewel of Islam. It is the four Madhhabs that have made it possible for them to gain insight into their faith throughout the ages, and have made it easier for them to adhere to the Book of their Lord and the Sunnah of their Prophet ﷺ.

If this is what they say about the four Imāms, would it be any wonder that they call me an ignorant liar, as I am but a defender of these four Imāms? Would it be any wonder that they describe the book in words I am ashamed of repeating? Once again, have I wronged anyone in what I have written? Have I confused Muslims or have I helped them out of their confusion? Does it behoove me, being the Muslim that I am who felt honored in serving Muslim Imāms and scholars, as well as in upholding the sincerity of the pen that is in my right hand, to remain silent about some of the misconceptions many people have had without trying to unravel them with a few lines?

And my Lord bears witness that I have never breached my academic integrity by putting words into anyone's mouth. I have always carried to the letter any debate I had with any of them, except that at times, I had to [grammatically] change a sentence from the vernacular to the standard [accepted usage].

3- In spite of that, I kept asking myself if Muslims were in need of having this book republished. Was what they had read not sufficient? The answer that was appealing to me at first was that the thousands of copies distributed to people were sufficient, and that there was no need to republish it.

But then, I found people looking for the book, or a copy of it in earnest. I was also told that by the time a sizable majority of people heard about the book, it was no longer available at the bookshops. By Allah, I never thought people's quest after the truth in this matter would go that far! I never thought I would receive this outpouring torrent of correspondence in which people expressed their sigh of relief, and the reassurance in their hearts over a matter in which they had not, prior to reading the book, been able to tell right from wrong.

I got to know after that the type of strain some Muslim audiences were and still are under, as a result of those people's persistent attempts at obliterating their ascription to the four Madhhabs and their pious Imāms, as well as to many other scholars. The majority of those Muslims were laymen or semi-laymen who lacked the scholarly ability to unveil the falsehood of their claims. This is not to say that many Muslims do not sense, in their hearts, through their sound Muslim instinct and pure human intellect, the heaviness and uneasiness of this claim, which is far from the truth but rather entrenched in falsehood. That is why many Muslims were looking forward to something that helps them gaining insight into just and scholarly evidences and criteria in this issue. They were in need of a book that would concisely and comprehensively be useful to them in that regard.

Therefore, there was no choice but to satisfy the needs of the majority of Muslims by republishing this book.

4- As I turn the pages, I see no need to change anything I wrote, nor do I need to add anything to it, except perhaps this preface and some comments that were made necessary as a result of a debate between Shaykh [Muḥammad] Nāṣiruddīn al-Albānī and myself. It was in response to his request that we met after the debut of the first edition of this book.

Had I encountered any responses or questions in regards to anything that was mentioned in it, I would have provided explanations, or made changes. However, I did not encounter anything worthy from those who consider themselves opponents of the truth. Nor have I received any inquiries from the readers who insisted on having the book republished.[1]

All that can be said is that Shaykh Nāṣir expressed his desire for a meeting in order for him to present his views in regards to this book of mine. We actually met, and I listened to his comments and views, which can be summarized in two points:

The first was pertaining to the title of the book, *Abandoning the Madhhabs is the Most Dangerous Bid'ah Threatening the Islamic Sharī'ah.* He thought the book did not contain any substance justifying this dangerous title.

His second point was that I misunderstood the message al-Khajnadī, the author of the *Kurrās,* meant to convey, and I went ahead and wrote this book as a rebuttal of his message. In the view of Shaykh Nāṣir, he [al-Khajnadī] did not deny the

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[1] I wrote this preface prior of knowing the rebuttal that was written by Shaykh Nāṣir, Maḥmūd Mahdī al-Istānbūlī, and Khayruddīn Wānlī titled, *al-Madhhabiyya al-Muta'aṣṣiba Hiya al-Bid'ah.* The book then reached me, so I commented on it in the Appendix which the reader can find at the end of this book.

validity of the four Madhhabs and their necessity, nor did he condemn adhering to them by those who are incapable of *ijtihād*. What he did was condemn the bigotry of those who favored them at the expense of the evidence they understood and comprehended. This, according to him, was a common denominator between al-Khajnadī and myself, and that there was no need, on my part, to instigate this much rebellion against him!

The following is a summary of the comments he presented in a session between us that lasted for about three hours.

In regards to the first point he presented, I told him that the book was true to its title in every respect. What I intended to clarify as a priority in my book was that the Muslims who have no means of relying directly on the Qur'ān and Sunnah cannot help but follow an Imām, whether they choose to adhere to him or switch to some other Imām, a fact that had been shown to be true during the times of the Companions and those who came after them. There were those among the Companions who did not feel satisfied with a *fatwā* from anyone else other than Ibn 'Abbās ﷺ, so they did not seek an answer from anyone else. No author indicated that any of the Companions had frowned upon such an adherence.

Furthermore, the people of Iraq spent a long time adhering to the Madhhab of 'Abdullāh bin Mas'ūd ﷺ represented by him or his students after him. No scholar prohibited adhering to his Madhhab. The people of the Hijāz spent a long time as well adhering to the Madhhab represented by 'Abdullāh bin 'Umar ﷺ, his students and companions. No scholar prohibited adhering to their Madhhab. 'Aṭā' bin Abī Rabāḥ ﷺ and Mujāhid ﷺ were distinguished in Mecca for *fatwā*. The Caliph's caller would tell people not to seek *fatwās* from anyone other than those two Imāms. The people of Mecca spent a

considerable amount of time adhering to the Madhhabs of those two Imāms. No scholar opposed the Caliph in that. No one prohibited the Caliph or anyone else from adhering to a specific Imām.

Having said all of that, does it not follow that calling for the unlawfulness of adhering to a specific Imām is a baseless *bid'ah* (innovation) unsanctioned by Allah? Is *lā madhhabiyya* anything else other than that?[2]

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[2] We explain this point further by saying that *madhhabiyya* means the *taqlīd* exercised by a layman, or whoever has not attained the rank of *ijtihād*, of a Madhhab of a *mujtahid* Imām whether he chooses to adhere to one *mujtahid* in particular or to keep switching from one to another. *Lā madhhabiyya*, on the other hand, means when the layman, or whoever has not attained the rank of *ijtihād*, does not exercise *taqlīd* of any *mujtahid* Imām, whether it is of one in particular or more. This is how this term is defined in the language used in legal nomenclature, and how people understand it. You refer to a person as being as a *ḥizbī* (partisan) if he follows a certain party, whether he chooses to stick to it or keeps changing from one party to another. A *lā ḥizbī* (non-partisan) however, is one who does not belong to any party whatsoever. Nonetheless, Shaykh Nāṣir says that "this interpretation is different from what every Muslim nowadays understands." (*Ṣifatu Ṣalāt al-Nabī*, p. 232). I don't know why this man is under the illusion that he is the exemplary model of truth for every Muslim, and that what he understands out of something, everyone should understand the same way, and what he does not understand, everyone should turn away from! Since he did not understand the meaning of the terms *madhhabiyya* and *lā madhhabiyya*, which I explained during our debate, every Muslim should line up behind his ignorance, and turn away from this intended meaning! He further argues that through this definition, I destroy everything I have built in my book. According to him, his definition necessitates saying that all

people are then *madhhabīs* in which case I am talking about something non-existent. It would be quite easy to consider all followers of Salafism as *madhhabīs* according to this interpretation, which Shaykh Nāṣir has never imagined to be the case with the meaning of *madhhabiyya*. This means that they do not cease to imitate one of the *mujtahid* Imāms whose opinions have been verifiably relayed to us. This is so whether they choose to stick to that Imām or to keep switching from one to the other. Otherwise, there would have been no need for me to publish this book in the first place. Unfortunately, Shaykh Nāṣir's position is inconsistent with reality. None of those whom we are trying to guide back to the straight path of truth accept following any of the four Imāms, and all allege that they rely directly on the Qur'ān and Sunnah. We have seen those semi-illiterates among them who categorically refuse to accept the *fatwās* of the four Imāms. We point out to them the evidence and the Ḥadīth their *fatwā* is based on, the strength of it, its validity, its chain of transmission, and who transmitted it. We talk to them as if they were some kind of experts and researchers in those matters, yet they either try to correct the Madhhab of the Imām or dismiss it altogether as ridiculous and faulty! These people are not from Mars or any other extraterrestrial planet. They are people like you and me, but from which every town, village, or neighborhood suffers. There are so many of them to make people like Shaykh Nāṣir proud. What does this al-Khajnadī mean – whom he refers to as a scholar, and whose *Kurrās* he defends and labels as useful – when he says:

> *Ijtihād* is easy and requires no more than a few books such as *al-Muwaṭṭa'*, the two *Ṣaḥīḥs*, *Sunan Abū Dāwūd*, and the collections of al-Tirmidhī and al-Nasā'ī. Such books are easy to get, so if any of your brothers get them before you do, you should know that you are left with no excuse.

Or when he says:

5- As for his second point, it pertains to his interpretation of the statements [of al-Khajnadī] which contain clear mistakes and deviation from the truth.

When al-Khajnadī said, "Madhhabs are no more than the opinions of scholars and their understanding of some of the issues, and such opinions are not made obligatory by Allah ﷻ or His Prophet ﷺ for anyone to follow," Shaykh Nāṣir thought that the author had addressed specifically those who possessed the

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> If there were many versions of the transmission of the Prophet's [Ḥadīths] in certain issues, and one cannot ascertain which one is confirmed and which is not, then one is to use all versions, at times using one version, and at other times using another.

Do you find in these words anything relevant to the definition of *madhhabiyya* we have established, and which Shaykh Nāṣir has objected to, claiming that this necessitates saying that everybody then is a *madhhabī*? Did he [i.e. al-Khajnadī] not block their access to any of the Imāms or their Madhhabs by placing the *Ṣaḥīḥs*, *Sunan Abī Dāwūd*, and the collections of al-Tirmidhī and al-Nasā'ī in front of them? He says these books are well known and easy to get, "so if any of your brothers get them before you do, you should know that you are left with no excuse." Meaning that Muslims should stop arguing because there is no need to follow any Madhhab altogether, neither through adhering to one of them, nor otherwise. Shaykh Nāṣir is probably aware of the fact that all Imāms, including Ibn Taymiyya, Ibn al-Qayyim, and al-Shawkānī have a consensus over the fact that getting these books do not render one a *mujtahid*, nor can one rely on them solely to deduce rulings. Rather, one has to be qualified in terms of scholarly faculty which promotes him to the level of *ijtihād*, in sharp contrast to what al-Khajnadī says in his *Kurrās*, which Shaykh Nāṣir refers to as 'very useful'. Hence, my treatise in this book suffers nothing of the destruction Shaykh Nāṣir spoke of. Rather, there is a need for it, unfortunately, although I wish there was not such a need.

qualification to carry out *ijtihād* on their own. Those are the ones, according to him, that were referred to here.

And his saying that,

> *Ijtihād* is easy and requires no more than a few books such as *al-Muwaṭṭa'*, the two *Ṣaḥīḥs*, *Sunan Abū Dāwūd*, and the collections of al-Tirmidhī and al-Nasā'ī. Such books are easy to get, so if any of your brothers get them before you do, you should know that you are left with no excuse.

According to Shaykh Nāṣir this refers to those who attained the level of *ijtihād* and could, on their own, deduce rulings from the primary texts. This, according to him, is obvious and by no means misleading. Therefore, it does not warrant any comment or response.

And his saying that, "When there is a text from the Qur'ān, the Sunnah, or the sayings of the Companions, one should not turn away from it, and take the positions of scholars." According to Shaykh Nāṣir, this refers to someone with some knowledge and insight into Sharī'ah, its rulings, and interpretations.

Thus, all these texts, and others similar to them, in al-Khajnadī's *Kurrās*, according to Shaykh Nāṣir, are interpreted in accordance with the truth I presented, and that one is supposed to understand his words in the light of the restrictions and specifications implied in various parts of his *Kurrās*. I told Shaykh Nāṣir that no scholar goes about implying such restrictions, and yet makes the type of generalizations as he did at the same time. Not everybody would understand al-Khajnadī's statements the same way Shaykh Nāṣir did. His answer to that was that al-Khajnadī was a non-Arab from Bukhārā who was incapable of expressing himself as clearly as an Arab would. He added that the man has now left to the

Mercy of Allah [i.e. passed away], and that we should take his words to be well-meaning and think well of him as much as we could since he is a Muslim after all.

This was a summary of the encounter we had that lasted for about three hours, and which was recorded. He later sent me a message suggesting that we meet again. This is what I had to say to him in response:

> *Regarding your suggestion that we meet again, I noticed in our last encounter that none of us benefited from that meeting. You did not change your position in regards to al-Khajnadī's innocence, and I was not satisfied with the way you went about interpreting his words either. In my opinion, if you had been willing to accept interpreting the words of Shaykhs such as Muḥiyyuddīn bin 'Arabī, and give him one fourth of the interpretation you were willing to give to al-Khajnadī, you would not have declared him to be a sinful disbeliever. In any case, your discussion last time centered on defending al-Khajnadī and showing that his intentions were consistent with the points I presented in my book. It is just that I misinterpreted his words, and missed the true meanings intended by him. Whether al-Khajnadī is who you say he is, or who I say he is, it would be my pleasure to find out that you personally do not agree with what I took al-Khajnadī's words to mean. I would be pleased if you were to publish a correction for the misconceptions, and an explanation for what al-Khajnadī had written. It would be nice to include the homage you said you owed to the*

> *four Imāms, and the necessity of adherence to them in the case of those who have not attained the level of ijtihād. As for meeting again, I see no point in doing that. I came out of the first encounter feeling that I had wasted three hours which I could have otherwise invested in something useful. Please accept my sincere regards.*

6- These were all the responses, refutations and discussions I received in regards to my book. They actually made me more determined in what I had written, and established already. I am now more certain than I have ever been that *al-lā madhhabiyya* is indeed the most dangerous *bid'ah* threatening the Islamic Sharī'ah. There is already enough evidence in my book to support this fact, and I see no need to add anything to it, except for the comments that were made necessary by the aforementioned reason.

I still understand al-Khajnadī's words like any reasonable Arab would in terms of its deviation from the clear truth, and the dangerous mistakes they make. This deviation and these mistakes should be pointed out and warned against. Allah ﷻ does not ask from us to find excuses for clear sentences and texts, forcing upon such sentences interpretations, restrictions, and specific references, saying that those were the meanings intended by the author, and hope that people would interpret, restrict, and understand them as such.

Allah ﷻ does not ask from us even half of that in our interpretations of the types of exuberant expressions made by the Ṣūfīs, regardless of the spiritual states they were in that might have led them to that. How would Allah ﷻ then ask from us to do so in regards to the statements made by someone claiming to be a scholar, speaking in the context of presenting a

scholarly fact based upon clear texts through which he supposedly intends to be precise, and tries to banish any illusions?

Come to think of it, this book of mine should not be detrimental to him if we were to assume that he [al-Khajnadī] truly was not capable to clarify his intended meanings, and that what he had meant was what I had established and explained [regarding the necessity of following Madhhabs]. In this case, I should probably deserve to be thanked by him, and maybe he should pray for me from behind the veil of death for having prevented Muslims from misunderstanding the meanings intended by his words.

7- Furthermore, some of the *lā madhhabī* advocates and some of their followers spread false rumors about the discussion I had with Shaykh Nāṣir, none of which warrants any comments from my part. After all, the efforts I have exerted in this respect were for the service of Islamic Sharī'ah, and for them I seek no rewards from anyone other than Allah ﷻ. Let these people say whatever they want to say after that.

What really mattered to me out of all the lies those people unleashed, was to shed light on the real facts, namely, regarding their false claim that my father, may Allah protect him, who participated in parts of the debate, approved of Shaykh Nāṣir's views, and was opposed to mine. I could not keep silent about such rumor because if I did, it would be used by them to try and attract more people to their crooked ways. They would resort to saying that "the pious scholar of Damascus, Shaykh Mullā al-Būṭī" agreed with them.

To this end, my father asked me to clarify to the reader that this is a baseless lie, and that the truth is quite contrary to their lies, and to point out that the recording of the debate is the best

evidence to that. The reader will find my father's statement signed by him right after this introduction.

8- Finally, I would like to apologise to anyone who this book has annoyed, simply because it is inconsistent with their views. I wish I could please them and satisfy the objectivity of the subject-matter, as well as please Allah ﷻ at the same time. I am, unfortunately, unable to do that, and this could be due to the fact that many of those brothers, as I got to know, lack the patience to read thoroughly. They merely skim through, and look over some of the paragraphs, and then go about unleashing their tongues. They keep grudges within themselves leaving no outlets for others to get through to them. How is it possible to please such people?

Our pious ancestors, those of them who were scholars and Imāms, used to debate issues, express their views and Madhhabs, and read the opinions expressed by others who differed with them, in a respectable and thoughtful manner. They either met on narrow but common grounds, or they parted with each sticking to his opinions and Madhhab in matters that allowed many possibilities. Whenever they parted, they always did so with respect and appreciation of the other person's views, and not without excusing the other person for having held on to his views.

Scholarly debate was one of the major factors for the revival in those times. It was one of the most important factors that helped people reach consensus back then, and it is till now the most important assurance that doing so can be made possible.

In this book of mine, I have committed myself to that scholarly manner of debating. My aim in this was to achieve those results I mentioned earlier. I wonder why those people treat us this way through grudges and hatred! Why do they judge the book,

and voice their objection to it the way they do? If we were to say, back in the old days of our ancestors, that some of the opinions of those people missed their target, one would say: Well, they did their *ijtihād*, and wrote what their souls were content with, so you, too, should write your own opinions, and debate them on that matter. But nowadays, when we tried to apply our ancestors' recommendations by writing a scholarly and objective rebuttal of their views, they threw a tantrum, and went about trying their best to prevent others from reading the book, accusing us, among other things, of instigating divisions, and advising us that we should give up our duty as writers, and switch to doing something else instead!

9- In fact, the religious and social ills are not a result of what libraries and bookshops provide in terms of objective scholarly debates in various branches of science and arts. To the contrary, such debates are quite beneficial and good for both religious as well as worldly concerns.

The true ills are when some turn away from the lofty scholarly debating, and instead, resort to name calling, holding grudges, and other aspects of bigotry and intolerance.

I pray that Allah ﷻ may not let any part of this research or any other research I have done to be a cause of distress to any Muslim, nor allow me to rejoice at the misery of anyone, or let the winds of the Jāhiliyya (pre-Islamic age of ignorance) or bigotry blow anywhere in what I write. I pray that He ﷻ keep my tongue and pen away from causing any harm to any Muslim brother.

Damascus, Jumādā al-Thāniya 1390 / August 1970
Muḥammad Sa'īd Ramaḍān al-Būṭī

My Father's Statement

I, the father of Muḥammad Sa'īd Ramaḍān al-Būṭī, say that anyone who claims I support the words of Shaykh Nāṣir, knows nothing about methodology, research or debating.

How can my words be of any support to his, when I pointed out his ignorance regarding absolute evidence? In other words, if something is absolute, then it covers every part of the individual. Many *fuqahā'* (jurists) have maintained that if a man attaches the contingency of the divorce of his wife according to her prayer, and her prayer was not *shar'ī* (lawful), then she is not divorced because her prayer cannot be referred to as a prayer; yet he believed me in this, and agreed to it. Then I told him that this book, '*al-Lā Madhhabīyya*', was intended for scholars and not commoners, meaning that although you may question what the author intends to say in this book, you will ultimately find the answers in the scholarly terminology used therein rather than find it explicitly expressed by the author.

Then again, how would I support someone who says that the Madhhabs of the four Imāms are not part of religion? (This is in spite of the fact that I clarified for him that the Prophet ﷺ confirmed the legitimacy of *ijtihād*, and that the prayer of a *mujtahid* is right even if it was wrong, and that the Prophet's ﷺ confirmation thereof is part of religion). But according to him, such a prayer is wrong, and yet he does not feel that he is necessarily saying that the Prophet ﷺ confirmed a wrongful deed. Far from it! This should suffice to show that he is a victim of his own capriciousness, and unaware of the havoc he wreaked against himself. His recording [of the debate] is the best evidence [against him].

- Mullā Ramaḍān

Introduction to the New Edition

This is a new edition of the book with new typesetting. Before this, this book has been printed well over ten times in offset format, and during that time, I have not added any new material besides the introduction to the second edition.

However, now, I wish to take this opportunity in this new edition to say: All those who are able, must clarify the truth with sound logic and dignified presentation; elevated and removed from insulting and treating others badly.

This is implicitly found in His ﷻ statement: "Let there arise from among you a group that invites to good, commanding that which is right and forbidding that which is wrong. It is they that are the successful." [Āl 'Imrān; 104]

As for transforming this clarification afterward into a series of disputes, constant replies, and using insulting words and lowly expressions – all in order to quench the thirst for revenge and give victory to the ego – then this is the disputation that we have been prohibited from. Allah forbid that it be considered within the realm of clarifying the truth, or falling under or being considered the purported meaning of the Noble verse.

As for clarifying the truth, then it is what Allah ﷻ has given me success in doing within the research in this book. With Allah's permission, it is possible that this book be printed once more, as long as there is a need for it among the people.

As for pursuing those that are not sympathetic to the truth, who go out insulting and using filthy expressions, then I seek refuge in Allah from engaging in that or descending to their level.

Clarifying the truth within the confines of a necessary framework is from the most important factors leading to unity, limiting the scattered [efforts], and solidifying the agents of sound consciousness. This is what I have done here.

As for responding to the stubbornness, disputation, and filthy language with its likes, then it is from the most dangerous factors [that lead to] shredding [the bonds of unity] and leads to separation and division. I ask Allah to protect me from that and to distance me from it, just as I ask Him ﷻ that He does not place any rancor in our hearts for those who believe, and that He unites us all upon the straight path, and that He brings about our end with that which pleases Him. All praise it due to Allah the Lord of the worlds.

Damascus, 1st Sha'bān 1405/21st April 1985
Muḥammad Sa'īd Ramaḍān al-Būṭī

Summary of what was discussed in the *Kurrās*

First, it is appropriate that I provide the readers a summary of this treatise, regardless of who the author or the publisher is. Then, I will make this summary the topic of discussion in the chapters to come, seeking to provide advice in the way of Allah ﷻ and His Prophet ﷺ on a sound methodological basis rather than aiming toward a personal objective. I neither intend to belittle a scholar nor deride or declare any author to be a disbeliever.

In return, I merely ask the reader to resemble me in what I committed myself to, namely to examine closely, focus his thoughts and have sincerity of knowledge for its own sake in what he reads, and follow wherever this may lead him, without burdening himself with any bigotry or dependency. Thereafter the reader will find that stirring up all these issues and noise over the fact that Muslims follow the four Madhhabs is in fact baseless, unwarranted and as they say, like a storm in a cup.

The author of the *Kurrās* starts his discussion with clarifying the reality of *imān* (faith) and Islam. He then mentions the Ḥadīth of Jibrīl when he asked the Prophet ﷺ about Islam. He goes on to mention the Ḥadīth of how Islam is based upon five pillars, and the Ḥadīth mentioning when someone came to the Prophet ﷺ and asked him what deed he needed to do in order to go to Heaven, and the Prophet ﷺ answered him by saying, "If you declare that there is no god but Allah ..." He also mentions the Ḥadīth of when someone came and tied his camel by the mosque of the Prophet ﷺ, then came inside and asked the Prophet ﷺ about the most important pillar of Islam. Then the author concludes, based upon these examples, that Islam is no more than a few words and rules, therefore intelligible to any bedouin or Muslim; that it is easy, hence, there is no need for

anyone to follow an Imām or devote himself to a particular *mujtahid*. From this he concludes that Madhhabs are no more than the opinions of scholars and their understanding of some of the issues, and that such opinions are not made obligatory by Allah ﷻ or His Prophet ﷺ for anyone to follow. Therefore, following any of the four Madhhabs or any other Madhhab is neither mandatory nor recommended; and a Muslim is under no obligation to commit himself to any of these Madhhabs in particular because whoever follows one of them in all questions is a blind, imitating, mistaken bigot, and among those who have divided their religion into parties. His evidence of this can be summarized by the fact that adhering to Islam amounts to adhering to the Qur'ān and the Sunnah, both of which are infallible, and that following the Imāms of Madhhabs is tantamount to steering away from the Qur'ān and Sunnah, towards something else. It is the steering away from the infallible to that which is not infallible. (*Kurrās*, p. 6-7).

After that he decides that Madhhabs are innovations (*bid'ahs*) that happened after the third century (of the Prophet's ﷺ death), and that they are undoubtedly misguiding. The author wonders if there was any evidence that a man would be asked in the grave whether he died on a certain Madhhab or path.

Then the author starts imagining that the four Madhhabs came to compete against the Madhhab of our Prophet Muḥammad ﷺ. He then says: "The true Madhhab that is the duty of every Muslim to follow is that of the Prophet ﷺ and his rightly guided Caliphs ﷺ." Where did all of these Madhhabs come from and why were they forced upon Muslims, he wonders! (p. 12).

In support of his argument, the author quotes al-Dihlawī as saying:

> He who follows everything one of the four Imāms said, and does not depend upon the Qur'ān and the Sunnah, goes against the consensus and follows a path other than that of the true believers.

Then he goes on providing proofs and quotes to show that it is not obligatory for a Muslim, if he follows an Imām, to follow him all his life. He also states that it is forbidden for anyone who came up with a judgment on his own in a certain issue based upon the Qur'ān and Sunnah, and understood the different meanings and intentions contained in them, to be biased towards the Madhhab of his Imām and go against his own findings from the evidence of the Qur'ān and the Sunnah.

Then he started to make a distinction between *taqlīd* (imitation) and *ittibā'* (following), making *taqlīd* an abominable deed while *ittibā'* a commendable act. *Ittibā'*, as he sees it, is when someone asks for the decree of Allah ﷻ and His Prophet ﷺ in a certain issue rather than for the opinion of someone else or his Madhhab (p. 14-15).

He then explains that if there were many versions of the transmission of the Prophet's ﷺ Ḥadīth's regarding certain issues, and one cannot ascertain which one is confirmed and which is not, then one is bound to use all versions, at times using one version, and at other times using another. He maintains that the reason why these 'divisive' Madhhabs came about was because this rule had not been applied (p. 17).

He then reiterates his point that a *mujtahid* (one who is entitled to give an independent judgment on a point of religion) may be right or wrong, whereas the Prophet ﷺ is infallible, and that is why it is impermissible to steer away from him. He supports his position with various proofs which forbid prejudice to the Madhhab of the Imām at the expense of the clear

evidence from the Qur'ān and the Sunnah which the *muqallid* (imitator) has studied, understood, and thoroughly researched.

Then the author restates his position that following a Madhhab of a particular person is an innovation, claiming that the Prophet's Companions used to refer to the Qur'ān and the Sunnah and to their findings from both these sources when evidence was missing. After the 3rd century, this whole 'innovation' of following a Madhhab and imitating an Imām came about. He likens the *muqallids* to those who are "stampeding donkeys" and describes them as charlatans with intentional, deliberate stubbornness who connect with none other than Satan (p. 24, 25).

Then he starts putting the blame on those who make the texts of their Imāms a priority to follow rather than the texts of the Qur'ān. He supports his position with what the Imāms said about being prejudiced to an Imām at the expense of evidence from the Qur'ān and the Sunnah if one has researched the evidence and understood it. Then he makes a connection between these sayings and his original claim of the impermissibility of *taqlīd* or adherence to a particular Madhhab (p. 28, 29, 30, 31, 32, 33 & 34).

The author finally invites every Muslim to turn directly to the Qur'ān and Sunnah in order to understand Islamic rulings, deciding that doing so is quite easy and effortless. All there is to it is for one to get the various books of Ḥadīth such as *al-Muwaṭṭa'*, the two *Ṣaḥīḥs*, *Sunan Abū Dāwūd*, and the collections of al-Tirmidhī and al-Nasā'ī (p. 40).

Then he goes back and mixes the many proofs which forbid the one who is knowledgeable and qualified with regards to evidence to follow his Imām, and be biased towards him when the latter's evidence is inconsistent with his own finding. He

uses this as the basis for his claim for the total rejection of adhering to a specific Madhhab (p. 40 and beyond).

Then the author of the *Kurrās* draws the attention of the reader to read *al-Muqaddima* of Ibn Khaldūn, claiming that he, Ibn Khaldūn, pointed out that the reason Madhhabs came into existence and became widespread was because of the despotic policies and usurpation of power by the ill-intentioned *'ājam* (non-Arabs) (p. 45).

This is a summary of what was discussed in the *Kurrās*, each of whose discussions, chapters and cited texts, aims to emphasize the unlawfulness of adhering to any of the four Madhhabs, and that adhering to a specific one is a misguidance and a blasphemy, and amounts to people's worship of lords besides Allah ﷻ. A Muslim is to go directly to the Qur'ān and Sunnah if he is able. If not, he should always hop from one Madhhab to the other, at times consulting this one, and at other times consulting another.[3]

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[3] Shaykh Nāṣir believes there is a sentence in this *Kurrās* which rectifies misconceptions throughout all the paragraphs and texts which we cited from the *Kurrās*. He believes this sentence is what al-Khajnadī says (on page 29):

> Mind you, taking the positions of Imāms and their analogies is tantamount to *tayammum* (the license to perform ablution using earth when water is not accessible). When there is a text from the Qur'ān, the Sunnah, or the sayings of the Companions, one should not turn away from it, and take the positions of scholars.

This is what Shaykh Nāṣir said during our debate. We pondered at this statement to which Shaykh Nāṣir drew our attention, only to find that it makes matters worse, and adds insult to injury, as they say.

So, every time a Muslim encounters a text from the Qur'ān or the Sunnah, he is to adhere to it, and it would be unlawful for him to turn to the *ijtihād* of the Imāms! What an odd statement to make! How can there be anything correct about it? Have we not written this book for the main purpose of countering such outlandish remarks?

Place the two *Ṣaḥīḥs* of Bukhārī and Muslim in front of Muslim laymen today, and tell them to understand the rulings of their religion from the texts found therein, and be prepared for the ignorance, the confusion, and the tampering with the religion. Is this what the scholar al-Khajnadī, and the defender of his oddities Shaykh Nāṣir want?

Shaykh Ibn al-Qayyim, as well as the majority of the scholars and Imāms said:

> Having access to books on Sunnah alone does not render a *fatwā* valid. One should attain the ability to deduce, and should be qualified to research and consider. Short of this qualification, one should follow what Allah has said: "Ask the people of the Reminder if you know not" [Holy Qur'ān 16:43].

But Shaykh al-Khajnadī, together with Shaykh Nāṣir, says: 'Whenever one encounters a text from the Qur'ān, the Sunnah, or the sayings of the Companions, one is commanded to take it, rather than take the position of the scholars instead!' Whom are we to believe? The consensus of scholars such as Ibn Taymiyya, Ibn al-Qayyim, etc., or the unique positions of al-Khajnadī and Shaykh Nāṣir in this 'useful' *Kurrās* of theirs? Once again, consider what al-Khajnadī said; you will be surprised by the underlying ignorance in it. He is under the illusion that Imāms based their *ijtihād*, which Muslims justifiably follow, on their own convictions and ideas which bear no connection to the texts of the Qur'ān and the Sunnah. Accordingly, this is what makes people justified in following them, and this is the inescapable *tayammum*.

The *ijtihāds* of the Imāms, however, cannot be valid unless they are based on the primary texts. Any Imām who exercises *ijtihād* without basing it on the Qur'ān and the Sunnah cannot be justifiably followed by Muslims. In his case his *ijtihād* is neither the water nor the *tayammum*. Imām al-Shāfi'ī said in his book *al-Risāla*:

> No one after the Messenger of Allah ﷺ was allowed to base anything on anything before him or on anything else other than the Qur'ān, the Sunnah, consensus, and the sayings of the Companions, and what can be referred to as analogy. Furthermore, no one is to exercise analogy unless he has the qualification to do so. This qualification assumes the knowledge of the rulings in the Book of Allah in areas such as: obligations, manners, abrogative and abrogated rules, generalizations, and specifications, as well as guidance in it.

So you can see that the most profound type of *ijtihād* is analogy (*qiyās*) which cannot be valid unless it is based on the Qur'ān, the Sunnah, or the sayings of the Companions. The sayings of Companions are, in fact, considered Sunnah except for some which may allow room for opinions. He is also under the illusion that ignorance in *shar'ī* rulings is a result of the absence of a text on that ruling. If, however, there is a text pertaining to it in the Qur'ān or the Sunnah, then the causes of ignorance disappear, and people indiscriminately should be able to understand the *shar'ī* rulings from that text, thereby abolishing the need to follow the Imāms. Does a saying like that come from anyone who knows the meanings of texts, and the methods of deducing rules from them? An agreement between buyer and seller on a sales transaction is not something that is non-existent for any researcher who is looking for texts on it in the Qur'ān and the Sunnah. Yet, if the researcher is not qualified for *ijtihād*, deduction, and their rules, he will not be able to ascertain the validity of such contracts. Also, land taken by Muslims as the spoils of war is an issue that does not lack any clear texts in the Qur'ān and the

The author of the *Kurrās* bases his claim upon the words of the Imāms which he cites, forbidding bias toward Madhhabs in the face of [opposing] evidence (if it has become clear to one after he has investigated it).

In that, the author, mixes between things that are agreed upon by all Muslims, and things which no Muslim has ever said, taking the proofs of the former as support for the claims of the latter. He should have, in discussing a scholarly topic based upon evidence and research, made clear, at the onset, the focus of research and the disagreements, limiting his evidence and claim to the sphere of disagreements. Then he could have proceeded in his claim as he would have wished. However, he did not do any of that.

Sunnah, yet I challenge the most capable scholar of those *lā madhhabīs* if he does not feel dizzy trying to extract rulings from these texts in this regard.

There are many issues like that in *fiqh*. So how can al-Khajnadī say: "...When there is a text from the Qur'ān, the Sunnah, or the sayings of the Companions, one should not turn away from it, and take the positions of scholars." And what need remains for any *tayammum* after that? Shaykh Nāṣir told us that al-Khajnadī's words are based on the implied assumption that a researcher needs to attain a capability enabling him to deduce from the text. When we said that he made a generalization and did not specify that, Shaykh Nāṣir insisted that the writer meant that specifically.

We have the excuse not to accept any kind of specificity for this generalization because no Arab grammarian, when he spoke of generalizations, ever said that among such generalizations are specificities Shaykh Nāṣir can attribute to what others say.

Before delving into the discussion, we should do what the author failed to do; namely, we should separate the points of contention from those of agreements among all Muslims, so that we could put aside the latter from the focus of the discussion, and not let them waste our time or be a distraction to us from the former.

Undisputed Matters

There are some undisputed matters which we have to set aside from the focus of our discussion in the course of [answering] the dangerous claim purported by the author of the *Kurrās* and for which he has written his *Kurrās*.

First: There is nothing legally binding for a *muqallid* of a certain Madhhab to continue in his *taqlīd*, nor is there anything that prevents him from moving from it to another [Madhhab]. Muslims have a consensus that a *muqallid* may follow whomsoever he wishes from among the scholars, if he has ascertained the validity of their schools and opinions. He may, for instance, choose to follow one of the four Imāms every different day. This is so in spite of the fact that, in recent centuries, there appeared those who frowned upon switching from one Madhhab to another. This is an abominable bigotry Muslims have unanimously rejected.

It is known to any researcher that [the above] which is undisputed is different from the claim [of al-Khajnadī] that a *muqallid* is not allowed to adhere to a specific Madhhab but rather he is required to keep changing [Madhhabs]. In other words, the absence of a legal obligation to adhere to a [specific] Madhhab does not necessarily mean that it is unlawful to do so.

Second: If a *muqallid* researched a matter, understood it, and examined its evidences from the Qur'ān, the Sunnah, and sources of *ijtihād*, he is required to refrain from taking the position of his Imām in it. It is unlawful for him to follow his Imām in that particular matter as long as he was capable of researching it, relying on his capacity for *ijtihād*. Scholars have a consensus about that, as do the Imāms of Madhhabs themselves.

It is quite obvious that it is unlawful for him to give more weight to the position of his Imām in that matter, than the finding his *ijtihād* has yielded.[4] This is in spite of the fact that in recent centuries there have appeared certain individuals who committed this bigotry, and were therefore at odds with the consensus of Muslims. This is another form of abominable bigotry and fanaticism which should be pointed out and warned against.

It is also known to any researcher that what is undisputed is that this above rule does not necessarily hold true in the case of a *muqallid*, who is ignorant of the evidences of rulings. Therefore, he should not be asked to reject *taqlīd*, and rely

[4] Someone like this is called a *mujtahid* in the Madhhab because *ijtihād*, as mentioned in the books of *uṣūl* (fundamentals of jurisprudence), is divided into absolute *ijtihād*, and *ijtihād* in the Madhhab. If someone practices *ijtihād*, and acquires the necessary qualifications enabling him to exercise it in all matters of *fiqh*, then he is an absolute *mujtahid*. If, on the other hand, someone researches a matter, and is capable of understanding its original evidences, then he is a *mujtahid* in the Madhhab. When we explained this well-known fact to Shaykh Nāṣir he was surprised, and thought that someone like that should be referred to as *muttabi'* (follower). He objected to my dividing people into two categories: the *mujtahid* and the *muqallid*. He argued that someone might acquire the ability to research some matters to the point that he could trace their evidences, and yet he might not attain the level of *ijtihād* similar to that attained by the four Imāms. At the same time, he could not be considered a layman like the rest of *muqallids*. Hence, he should definitely fall into a third category! We say, as many scholars of *fiqh* say in this regard, that he is considered a *mujtahid* in the matter in which he has attained *ijtihād*, and is a *muqallid* in all other matters. This is what is meant by the scholars' saying that *ijtihād* and *taqlīd* can be partitioned into sub-categories.

directly on the texts of the Qur'ān and the Sunnah.

Third: All four Imāms are correct in the sense that the *ijtihād* of each of them is excusable in front of Allah ﷻ. If the Imām has not established the certainty of a ruling intended by Allah ﷻ for His worshippers in some matters, he then has to follow the position his own *ijtihād* has led him to.

Hence, a *muqallid* may correctly follow any one of the Imāms, and may not consider others incorrect for following the other Imāms. That is why scholars have agreed that a Ḥanafī may pray behind a Shāfi'ī or a Mālikī, and vice versa.[5]

[5] The scholars of early times had a consensus concerning the validity of the prayer of a Shāfi'ī behind a Ḥanafī and vice versa. It is known that in this context, prayer is an absolute term. So it means a prayer in which the person praying is not aware of anything that should spoil the prayer of the Imām leading the prayer according to his Madhhab. This absoluteness does not include the disagreement among scholars, for example, in the case of a Shāfi'ī praying behind a Ḥanafī who has touched his wife. Such a scenario does not go into the specific parts of the whole, so it is not included in this absoluteness. Therefore, there should not be anything barring a Shāfi'ī from praying behind a Ḥanafī. This is similar to saying: There is a consensus that prayer is valid in an orchard. So, when prayer is not valid in a usurped (or unlawfully seized) orchard, this should not mean that prayer is absolutely invalid in any orchard. This is clearly understood by anyone who studied the absolute and the restrictive in any of the books of *uṣūl*. However, it was in vain that we tried to get Shaykh Nāṣir to understand this meaning. During the discussion we had, he insisted on repeating: 'What is an absolute remains so until something makes it restrictive', as though he was saying: 'A generalization is general until something makes it specific,' without realising the wide difference in their meanings! Therefore, according to him, I was wrong in saying that the

consensus of Imāms was absolute ... etc. There was disagreement among them in regard to a person praying behind an Imām who does something that spoils the prayer according to his own Madhhab. Shaykh Nāṣir considered my position in regards to this disagreement among scholars, and my support of it, as a dangerous restriction against absolute consensus. He considered it a restriction that rendered everything I said meaningless, and thought I was one of those who call for having many *miḥrābs*, and prayer groups in mosques, even though, according to him, I pretended to condemn that, and claimed I was a moderate. He said in his book, *Ṣifatu Ṣalāt al-Nabī* ﷺ (p. 231): "The brother, Dr. Būṭī, claimed in his book – *al-Lā Madhhabiyya* – that there is consensus that the prayer of a Ḥanafī behind a Shāfi'ī is valid." When I told him about the absolute invalidity of this claim, imagine, he answered: "This is contingent on the fact that the Imām's (who is of a different Madhhab than his) prayer needs to be valid according to his own Madhhab." In that he destroyed all the moderation he had pretended to have. So, Shaykh Nāṣir sees no moderation at all unless we say that a person's prayer behind an Imām different from his Madhhab is valid regardless of whether the Imām commits something that is invalid in the person's Madhhab or not, and whether or not that person is aware of that violation. We ask Shaykh Nāṣir the following question: What would he do if he prayed behind an Imām who he knew had a bottle of alcohol in his pocket, and according to Shaykh Nāṣir's *ijtihād* alcohol was an inpurity? Would he be moderate enough, and continue praying behind such an Imām, or would he give up his moderation, withdraw to another corner in the mosque, and form a new group? We know with certainty that he would refuse to attend the funeral of many dead righteous Muslims because, they fell into *kufr* or *shirk* according to his understanding. It is not a question of being led, neither is it a question of following. Would he allow himself to be led in prayer by someone who, according to his own *ijtihād*, has committed a violation? I am not interpolating anything when I report the Imāms' consensus about the validity of the prayer of Muslims behind one

Recently though, there have been, in some countries, certain groups of people who contradict this agreed upon fact. This is an aspect of abominable bigotry which has no basis in Islam, and which Muslims have to be, by all means, warned against.

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another irrespective of the differences in their Madhhabs. It does not behoove me in a scholarly discussion to pretend something I do not believe in although he claimed I did. My words are clear in the matter. Anyone with knowledge in the composition and the principles of *uṣūl al-fiqh* is aware of that. Moderation is what our *fuqahā'* have all along said in regards to the validity of Muslims' prayer behind one another irrespective of their differing Madhhabs as long as the one being led in prayer does not know of any violation for certain the Imām has committed according to the Madhhab of the person being led in prayer. If the person being led becomes aware for certain of any violation by the Imām, then the correct thing to assume is the invalidity of the prayer. This is so because the validity of prayer or the lack thereof is according to the belief of the person being led rather than according to the belief of the Imām leading the prayer. Suppose that Shaykh Nāṣir was led in prayer by an Imām who did not read the *basmallāh* (In the name of Allah, Most Merciful, Most Gracious) before reading al-Fātiḥa and that the *basmallāh*, according to Shaykh Nāṣir's *ijtihād*, was part of the Fātiḥa. In this case, we would not consider Shaykh Nāṣir to be immoderate in not allowing himself to be led in that prayer. What we truly condemn, and don't consider to be moderation, is when some people shy away altogether from praying behind someone who is not of their Madhhab. In other words, they shy away from prayer as a whole behind such a person. None of our respectable *fuqahā'* of olden times, during whose time consensus was established, has ever taken such a position characterised by the abominable bigotry Shaykh Nāṣir has accused them of in his book. It would have been nice if he were to mention the names of such *fuqahā'* and where in their books or biographies they have ever said something like that.

Having many *miḥrābs* (niches in the wall of the mosque that indicate the *qibla*) and naming each of them after one of the four Madhhabs is one of the ugliest sights embodying an abominable, meaningless, and unjustifiable distortion. It is without any basis in the religion of Islam what some common people or even those who have acquired knowledge do when one of them sits aside in the Mosque while the congregational prayer is being performed in front of his eyes. Nothing stops him from joining in other than the fact the Imām leading the prayer is not of his Madhhab. So he waits for the Imām who belongs to his Madhhab in order to pray behind him. He thinks that his prayer will not be valid unless he prays behind the Imām who is of his Madhhab. Scholars have not been more unanimous, in any age, than they have been over the contrary. There are two motives that lead people to this habit: an unwarranted bigotry on their part; and a benefit to some people who have inherited a profession like that and have become accustomed to the revenues and benefits from it.

These are the three undisputed matters which we agree upon, and we do not contradict anyone who either attracts attention to them, or emphasizes them, since they have been confirmed by scholars and Imāms (may Allah have mercy on their souls) who have recorded them in their works and books. What the author of the *Kurrās* has quoted from the texts of Imāms Ibn al-Qayyim, al-'Izz bin 'Abdul Salām, Shāh al-Dihlawī, and others, centers around these three issues. None of those whom the author relies on for support disagrees with any of them, nor is anybody supposed to disagree with them in these issues. Had the author of the *Kurrās* focused his research on these issues, and followed the example of the aforementioned Imāms in emphasizing the rejection of these kinds of abominable and unwarranted bigotry, we would have highly received and honored his *Kurrās*, and we would not have had any differences with it, nor would we have had any negativity towards it.

But the author resorted to these texts and evidences, and linked them to claims that bear no relation to them. He took the evidences that support the unlawfulness of violating these agreed upon issues as proofs that it is unlawful for anyone to follow any particular Madhhab. How does this follow from that? Therefore his evidences were inconsistent with his claim. He supported his claim with the words of al-'Izz bin 'Abdul Salām whose Madhhab is Shāfi'ī, and the words of al-Kamāl bin al-Humām whose Madhhab is Ḥanafī, and the words of Ibn al-Qayyim who is Ḥanbalī, and the words of al-Dihlawī who is Ḥanafī. The author has supported his claim of the unlawfulness of following a certain Madhhab by the words of the very people who are responsible for what he claims to be unlawful.

The New Claim Made in the *Kurrās* Its Evidences and Rebuttal

Now that we have set aside in the chapters of the *Kurrās* those points which are undisputed as well as those texts whose authors agreed upon issues, we find that behind all of that there lies a dangerous and new claim which the author of the *Kurrās* has intended to convey. This claim is that it is unlawful for any Muslim to follow any of the four Madhhabs, and that if he does then he is a blind misguided bigot and is among those who have divided their religion into parties (p. 7).

Let us reveal the truth behind this claim and question its evidence and basis now that we have removed the veil behind which it was hiding, namely the veil of those three agreed upon issues and what the Imāms have provided in terms of proofs for them. These issues are neither closely nor remotely related to this claim. Those who propound this claim may not use any of the evidences in those issues for support.

What are the evidences which the author of the *Kurrās* has relied upon in support of his claim? Here is a summary:

First Evidence: The claim that Islam is no more than a handful of rules that can be understood by any bedouin or Muslim. He mentions Ḥadīths in support of his claim (p. 5-6 of the *Kurrās*). Madhhabs, according to him, are no more than the opinions of the people of knowledge, and their understanding of certain issues. Neither Allah ﷻ nor His Prophet ﷺ have made any of these opinions obligatory for anyone to follow.

We say in reply: Had it been true that the rulings of Islam were limited in scope to those few issues which the Prophet ﷺ had instructed that bedouin with, who then left having been guided on the straight path, then exegeses and reference books would

not have been outpouring with thousands of Ḥadīths elucidating a plethora of rules related to Muslim life. Had it been true, then the Prophet ﷺ would not have had to stand on his feet long hours for many days teaching the delegation from Thaqīf the rulings of Islam and their responsibilities toward Allah ﷻ.

For the Prophet ﷺ to tell people about Islam and its pillars is one thing, and to teach them how to carry out such pillars is another. The former needs no more than a few minutes, but the latter requires effort, scholarship, and experience.

That is why he ﷺ used to send along with those Muslim delegates, whose general understanding of the pillars of Islam did not take more than few minutes, some of his best Companions in order to strengthen their understanding, and teach them the rulings and duties of Islam. He sent Khālid bin al-Walīd ؓ to Najrān, and 'Alī ؓ to Yemen, and Abū Mūsā al-Ash'arī ؓ and Mu'ādh bin Jabal ؓ to Yemen as well. He also sent 'Uthmān bin Abī al-'Āṣ ؓ to Thaqīf. He sent all of them in order to teach the likes of that bedouin whose simple understanding of Islam the author of the *Kurrās* has indicated. He sent all of them to teach others the legal details of rulings, in addition to the teaching and the clarification he, the Prophet ﷺ, had made.[6]

[6] Shaykh Nāṣir gives the excuse on behalf of al-Khajnadī, that what he meant was opposite to what we said, based on the fact that al-Khajnadī was a non-Arab from Bukhārā whose native language wasn't Arabic. He prays for him, wishing him reward for having been able to write what he had written, and invites us to think well [of him], and not be suspicious of what Muslims say. What is strange here is to assume there is any connection between having shoddiness in an expression or text to the point that it affects the intended meaning in those texts, giving almost the opposite of what the writer truly means.

Indeed, in early Islam, there were fewer problems that required solutions or clarifying rules. That was due to the fact that Islam spanned a small area at the time, in addition to the simplicity that characterised Muslim life back then. But as the Islamic state got bigger and many customs, traditions, and interests that were not known before suddenly appeared, problems increased. All of those problems were not without relevant rules that had to be derived from sources such as the Holy Qur'ān, the Sunnah, and the consensus of scholars or through analogy to these sources. Such sources constitute the very heart of Islam and its wisdom. Allah's rules are contained in one of these guiding sources for us to understand, and deduce from.

How is it possible, then, to separate between Islam and what the four Imāms and others like them had inferred from these main sources of Islam? Why is it that the author of the *Kurrās* says:

> As for the Madhhabs, they are the opinions of scholars, their understanding and *ijtihād* in some matters, and such opinions, *ijtihāds*, and perceptions, are not made obligatory by Allah ﷻ and His Prophet ﷺ for anyone to follow.

Is this not falsehood itself which was uttered, by way of arrogance and stubbornness, by the German Orientalist Schacht who was well-known for his hatred of Islam? Schacht

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We looked everywhere in al-Khajnadī's book, and could not find any other traces of such shoddiness indicating that he was non-Arab. Would Shaykh Nāṣir, in the same way, find an excuse for some of the exuberant expressions of the non-Arab Ṣūfīs based on the fact that they were misinterpreted because they had shoddiness in Arabic? Would he follow the same principle he is inviting us to adopt when it comes to having good thoughts, and banishing suspicion toward what Muslims write or say?

says [in his book 'The Origins of Muhammadan Jurisprudence']:

> Islamic *fiqh* which was authored by the Imāms of Madhhabs is no more than a work on jurisprudence produced by excellent minds versed in law to whom appealed the idea to attribute everything they came up with to the Holy Qur'ān and the Sunnah.

This book of Schacht is one of the primary books that are taught to students at European universities.

If what the author of the *Kurrās* and the German Orientalist Schacht say is true, then there is nothing legally binding for us to follow most of the rules of law because they are no more than *ijtihāds* and opinions of Madhhabs which neither Allah ﷻ nor His Prophet ﷺ have stipulated that they be followed by anyone according to the author of the *Kurrās*. Similarly, there is nothing legally binding which obliges us to follow an Islamic Civil Legal Code that a committee of scholars may come up with tomorrow, because most of its rulings will be opinions and *ijtihāds* which neither Allah ﷻ nor His Prophet ﷺ have demanded from us to follow.

How is it, then, that we can say Islam is both a religion and a state? Why do we not wake up to our mistake and declare, as Schacht would like to see, that Islam is only a religion with no state?

The Prophet ﷺ used to send some of his Companions that were distinguished for their ability to remember, comprehend, and make inferences, to the tribes and to different lands. He used to delegate to them the task of teaching people the rules of Islam and the matters of the lawful and unlawful. The Ummah has a

consensus that at times, they exercised *ijtihād* when the evidence from the Qur'ān and the Sunnah was not apparent. The Prophet ﷺ used to commend them for that.

Abū Dāwūd and al-Tirmidhī narrated through Shu'ba ﷺ, that:

> When the Prophet ﷺ decided to send Mu'ādh ﷺ to Yemen, he asked him: "What shall you do if you were in a position to make a judgment?" Mu'ādh said: "I shall judge according to the Qur'ān." The Prophet ﷺ asked: "What if you cannot find it in the Qur'ān?" Mu'ādh answered: "Then, according to the Sunnah of the Prophet of Allah." The Prophet ﷺ then asked: "What if you cannot find it in the Sunnah?" Mu'ādh said: "I shall exercise *ijtihād* of my own opinion and I will not go beyond that," upon which the Prophet patted Mu'ādh's chest saying: "Thanks be to Allah Who has guided the messenger of the Messenger of Allah to what pleases the Messenger of Allah."[7]

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[7] This Ḥadīth was transmitted by Shu'ba through Abī 'Awn who transmitted it through Ḥārith bin 'Amr who in turn transmitted it through the companions of Mu'ādh. Ibn al-Qayyim said concerning this Ḥadīth, in his book, *I'lām al-Muwaqi'īn,* (Vol. 1, p. 202) that although the chain of transmission refers to unnamed companions of Mu'ādh, it does not hurt its credibility because it shows how this Ḥadīth is well known and that which Ḥārith bin 'Amr narrated is from a group of Mu'ādh's companions and not just one of them, and this should make the Ḥadīth more credible than if it were to refer to one companion of Mu'ādh who was named. None of Mu'ādh's companions was ever reputed to be a liar, or dubious. Some Imāms said that if you saw a Ḥadīth transmitted through Shu'ba, then hold onto it. Abū Bakr bin al-Khaṭīb said that it was reported by 'Ubāda bin Nusayy who transmitted it through 'Abdul Raḥman bin Ghanam who in turn reported it through Mu'ādh. This chain is upright and reliable, and those mentioned in it are credible men. Scholars have

Thus, the scholars among the Companions of the Prophet ﷺ utilised *ijtihād* and had understanding according to which they used to judge among the people with the approval of the Prophet ﷺ himself. How can it then be said that they are no more than *ijtihāds* and understandings which neither Allah ﷻ nor His Prophet ﷺ have demanded from anyone to follow?

Therefore, the rules in Islam are neither easy to understand nor few in number to count as the author of the *Kurrās* has imagined – using as evidence the Ḥadīths we pointed out. Rather, they are so vast and comprehensive that they encompass everything that is related to private and public life at all times and in different situations. They all can be attributed either directly or by way of investigation, *ijtihād*, and inference, to the Qur'ān and the Sunnah. In either of the two ways in which a Muslim understands the legal ruling, it becomes the ruling of Allah ﷻ and incumbent upon him, and he cannot turn away from it. It is also the ruling of Allah ﷻ by which he is to give *fatwā* to whoever seeks his advice. Otherwise, the Prophet's envoys to the tribes and other parts of the land would have been in vain. It would have been correct to tell those envoys: "Neither Allah ﷻ nor His Prophet ﷺ demand from us that we follow your findings and *ijtihād*."

Second Evidence: The most basic principle in Islam is to adhere to the Qur'ān and the Sunnah which are Divinely protected from error. As for following the Imāms of Madhhabs, it is tantamount to being led by that which is fallible rather than by what is infallible. (*Kurrās*, p. 8, 12).[8]

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quoted and used this Ḥadīth as evidence. Therefore, we have accepted it based on their acceptance.

[8] We asked Shaykh Nāṣir about al-Khajnadī's words declaring the Madhhabs of the four Imāms to be competing with what he calls the

Madhhab of the Messenger of Allah ﷺ. He said, when condemning these Madhhabs: "The true Madhhab that is the duty of every Muslim to follow is that of our Master Muḥammad ﷺ." Shaykh Nāṣir said that al-Khajnadī was right in saying that because not all the Madhhabs are correct. It is possible for the Imāms to make mistakes in their *ijtihāds*, whereas what the Prophet ﷺ said is immune from mistakes. We told him that the outcome of *ijtihād* of Imāms is considered from the *dīn* (religion), be it wrong or right, because in either case it is rewarded, and in either case it is considered the duty of a Muslim to follow as long as the mistake has been inadvertent. The man insisted that the *ijtihād* of a *mujtahid* is not *dīn* so long as it does not conform to the truth that was intended by Allah Almighty. One of those present, Shaykh Aḥmad Ra'fat Akbāzlī asked him:

> Shaykh Akbāzlī: "Is *ijtihād dīn* or is it not?"
>
> Shaykh Nāṣir: "Yes, it is *dīn*"
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> Shaykh Akbāzlī: "Then, how can it be *dīn*, but its outcome cannot be *dīn*?"
>
> Shaykh Nāṣir: "You want me to go against what most scholars agree on, [namely] that the inadvertent implications of a Madhhab are not part of that Madhhab. A leader of a Madhhab may express the fact that *ijtihād* is part of *dīn*, but its inadvertent implications are not part of *dīn*."

Here, I cannot help but explain the strange illusion Shaykh Nāṣir is under when he says this famous rule: 'The inadvertent implications of a Madhhab are not part of that Madhhab.' I have to explain what it means first, according to those who said it. Scholars have maintained the position that if an Imām is known for a Madhhab, and his Madhhab inadvertently necessitates or implies something he did not intend or express, then that necessity is not part of his Madhhab. An

example of that is the position taken by the Mu'tazila that things are intrinsically good or bad and that the rational mind alone can realise that. Ahl al-Sunnah wal-Jamā'ah, however, saw that this Madhhab necessitates saying that things are good or bad in terms of their nature rather than in terms of their creation [i.e. That Allah ﷻ created it as such]; otherwise, one would assume that Allah's creation is deficient in which case it would be considered disbelief by consensus. However, we do not take this inadvertent necessity against the Mu'tazila, and we do not attribute to them except what they said in terms of things being intrinsically good or bad simply because this necessity might have escaped their attention, or they might have considered it to be invalid. However, if we were to meet with them, and they confirmed this necessity then it does become part of their Madhhab. Shaykh Nāṣir, however, is under the illusion that a man may follow a Madhhab without having to believe in its necessary implications although he may have explicitly confirmed such implications. That is why it is acceptable, in his view, to accept the implication and link between *ijtihād* being *dīn* and its outcome being *dīn*, while at the same time believing that if the outcome of such *ijtihād* is not correct in interpreting what Allah Almighty has revealed then it is not part of the *dīn*. What is more humorous is that he used the rule (The inadvertent necessities of a Madhhab are not part of that Madhhab) to back his position. At any rate, the man did finally admit that making a mistake in *ijtihād* is part of *dīn* as long as the mistake was inadvertent, and as long as the *mujtahid* did not insist on that mistake once he became aware of it. We asked him why is it that al-Khajnadī says the four Madhhabs are incorrect, although none of their Imāms persisted in what he found to be a mistake. Then he shifted his position and started saying that what al-Khajnadī meant was not the Madhhabs themselves but the followers of those Madhhabs! For about a quarter of an hour he was saying that not all the positions of Imāms were correct because of mistakes they are not immune of making in their *ijtihāds*. Therefore, not all their positions are part of *dīn*. When he had to admit that they were part of *dīn*, and he realised

We comment on this rather strange statement by saying: Whom are you addressing and trying to get the judgment of with this evidence? If they are those who are qualified enough to understand a ruling directly from the Qur'ān, the Sunnah, or are able to make analogy from both, without the need to consult with a Muftī or an Imām, then your evidence is correct because there is no point in their following the opinions of the Imāms when they are quite capable of understanding the words of Allah ﷻ and His Prophet ﷺ directly. This, as we have pointed out, is not a point of contention because no Muslim, past or present, will differ or argue with you on that. If, on the other hand, you are addressing the laymen who possess no means of *ijtihād*, inference, or researching the evidences and their denotations, then yours is indeed a strange statement that has no sound reasoning.

What is infallible in the words of Allah ﷻ is what Allah has intended in His words, and what is infallible in the words of the Prophet ﷺ is what the Prophet ﷺ has meant in his words. As for the way people understand their statements, it is far from being infallible, be they *mujtahids*, scholars, or laymen (unless, of course, it was an explicit text in the Qur'ān or the Sunnah with clear and verifiable meaning [*qaṭ'ī al-dilāla wal-thubūt*], and the reader is an Arab well-versed in the language, only then will his infallible understanding be a result of its clear reference). If the means of drawing directly from the Qur'ān and the Sunnah is

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that would mean al-Khajnadī's words became nonsense, he changed his position and started saying that what the man (al-Khajnadī) meant was not the opinions of Imāms themselves, but the followers who become aware of the mistake of their Imām, and yet persist in following him. All of that was for the sake of keeping al-Khajnadī in the right, maintaining his stature as a scholar, and making sure that his writings continue to be useful. You tell me, what do you call this? Is this not bigotry in its ugliest form?

understanding, and understanding from them is an attempt that cannot be characterised as infallible, except for the case which we have just pointed out, then what is the difference between the attempt made by a layman or a scholar at understanding? What is the purpose of inviting the layman to cast aside *taqlīd* because the Qur'ān rather than the Imām is Divinely protected from error? Would people have been divided, since early times, into laymen and scholars, *muqallids* and *mujtahids*, had it been possible for the layman to derive from the Qur'ān an understanding that is infallible, and that which has been intended by Allah ﷻ in His book?

It is as though the author of the *Kurrās* is under the illusion that the Madhhabs of Imāms derive their *ijtihād* from sources other than the Qur'ān and the Sunnah. It is as though such Madhhabs are independent from the Madhhab of the Messenger of Allah ﷺ, and they have appeared to compete against it. The author is trying to attract the attention of those who are being misled so that they can follow the rightful Madhhab, and he points out to them that the Madhhabs they have been following are not infallible while the rightful Madhhab of the Prophet ﷺ is infallible. How is it that they turn away from the infallible and follow that which is not infallible? Think as you would, of this rather peculiar evidence. By Allah ﷻ, you will not find any meaning other than this interpretation, understanding, and perception.

Third Evidence: There is no proof that mankind is going to be asked in the grave about the Madhhab or school he had belonged to. (p. 10).

This evidence shows, as you can see, that the author of the *Kurrās* believes that the scale for knowing the duties given by Allah ﷻ to man are the questions the two Angels ask in the grave. Anything they ask about is a duty that is mandated, and

anything they do not ask about is neither a duty nor is it lawful.

I do not know if it has been proven in any source of Islamic creed that the two Angels ask the dead about his debts, and what he owed others, or about his unlawful transactions, or dealings, or about his negligence in raising his family, or about the times he had wasted in playing and jest?

If there is an evidence that the two Angels do ask the dead about all of that and similar matters, let us consider, then, if they shall ask: Why did he follow the Shāfi'ī Madhhab and did not exercise *ijtihād*, and why did he follow a particular Imām or *mujtahid* and has not switched from one to another? If the two Angels ask about that, then, let it be a testimony on my part that the author of the *Kurrās* was right, and I, and other researchers and scholars, have been wrong in assuming that the two Angels' questions pertain to the totality of Islamic principles that are represented in specific and limited questions as was mentioned in authentic Hadīth reports. If the case was as the author presented it, then the task of the two Angels would have been a comprehensive and detailed reckoning.

I still say, as other scholars and Muslims do, that the duties laid upon the shoulders of Muslims in this life are of a more comprehensive scope than the questions asked by the two Angels in their graves. You will not find any clear meaning for this third evidence unless, you assume, once again, that the author of the *Kurrās* believes that the Madhhabs of Imāms, in understanding legal rulings from the evidences of the Qur'ān and the Sunnah, are there to compete against and crowd out the Madhhab of the Messenger of Allah ﷺ. Those Imāms are, according to him, the Prophet's competitors, and therefore, it is quite obvious that the two Angels are going to ask the dead about their attitudes toward this man who was sent to them, meaning the Prophet Muḥammad ﷺ, rather than ask them

anything about the other competing Madhhabs which started to propagate themselves later.

I hope the reader does not think that I am being sarcastic towards the author when I say this, nor am I trying to deride him. By Allah ﷻ, this is what I have come to understand from his words, and this is what any thoughtful person will understand from them. The author explicitly expresses the meaning of his words when he says:

> You should know that the true Madhhab to follow is that of Prophet Muḥammad ﷺ who is the greatest Imām to follow, as well as that of the Guided Caliphs ﷺ. We have not been commanded to follow anyone else other than the Prophet ﷺ. Allah ﷻ says: "And whatever the Messenger gives you, accept it, and whatever he forbids you, abstain (therefrom)...." [Holy Qur'ān, 59: 07]. The Prophet ﷺ said: "Follow my Sunnah and the Sunnah of the righteous Caliphs after me."

Is it not clear from this that the author of the *Kurrās* assumes that there were many Madhhabs that appeared throughout history, each of which tried to propagate itself and proselytize people into their folds, and that the true Madhhab among them is that of the Prophet ﷺ, and as for the other Madhhabs, they are false?

I ask you, dear reader, irrespective of the level of your education in the history of Islamic jurisprudence, can facts escape you so that you can come to this rather strange and mixed up understanding?

What is the difference between the Madhhabs of the four Imāms and that of Zayd bin Thābit, Mu'ādh bin Jabal, or 'Abdullāh bin 'Abbās in understanding some of the rules of

Islam? Also, what is the difference between the Imāms of the four Madhhabs, and the Imāms of the Rā'ī (Opinion) Madhhab in Iraq, and that of the [people of] Hadīth in Ḥijāz, although the foremen of these two Madhhabs are some of the elite among the Companions and followers, and yet all had followers?

Does the author of the *Kurrās*, then say, that there were scores of Madhhabs, and not just four, that came to contradict and compete with the Madhhab of the Prophet ﷺ? Or does he perhaps mean that the Madhhabs that are outside of the religion, which splintered from the Madhhab of the Prophet ﷺ, were only those four, but that the Madhhabs which came before them were good, correct, and equal to that of the Prophet ﷺ?

I do not know which of the two sayings the author of the *Kurrās* chooses, but what I know is that the sweeter of both sayings is still bitter, and that the better of the two is a lie and a falsehood. Allah forbid that the *ijtihād* of the Companions and those who came after them, or those of the rest of the Imāms were more than a service and an explanation to what was Divinely revealed to the Messenger of Allah ﷺ. Some of these *ijtihāds* and interpretations were at odds with others, so these *ijtihāds* that differed became Madhhabs in the way they interpreted the words of the Messenger of Allah ﷺ. They were not Madhhabs that competed against the Prophet ﷺ. How could they be competitors and opponents to him when they all cited his words and tried to find the meaning he intended from these words of his?

Fourth Evidence: The author of the *Kurrās* cites from [Shāh] Walīyullāh al-Dihlawī's book *al-Inṣāf* where he says, among other things:

> He who takes all the sayings of Abī Ḥanīfa, or those of

> Mālik, or al-Shāfi'ī, or Aḥmad, and others, but does not rely on what was mentioned in the Holy Qur'ān and the Sunnah, has gone against the consensus of Muslims, and has followed a path other than that of the believers.

I say to that: It has not been proven that al-Dihlawī meant in his words the *muqallid* who is incapable of *ijtihād*, neither in his book *al-Inṣāf*, nor in any other book of his. In fact, what he said on more than one occasion is exactly the opposite.

Al-Dihlawī said in both of his books, *al-Inṣāf* (p. 53) and *Ḥujjatullāh al-Bāligha* (Vol. 1, p. 132) what can be summed up as:

> Regarding the four Madhhabs that have been preserved and codified, the Ummah, or rather those that are counted amongst them till this day of ours, are in unanimous agreement that it is permissible to make *taqlīd* of them. Especially in these days, in which aspirations have severely diminished, caprice has been absorbed by the souls and everyone is amazed at their own opinions.

I challenge the author of the *Kurrās* and his ilk to prove even one line of what the author of the *Kurrās* has tried to put in the mouth of al-Dihlawī from any of his books.

Al-Dihlawī then says, (p. 124-125) explaining that there is nothing that would prevent one from adhering to one specific Imām:

> How can one deny that although seeking and giving *fatwā* has been around among Muslims since the days of the Prophet ﷺ and there is no difference between seeking the *fatwā* of one Imām all the time, or seeking *fatwās* from different Imāms at different times which was a point of

> consensus as we previously mentioned. Why not, when we have not believed that any *faqīh* (jurist), no matter what they may be, is Divinely inspired by Allah ﷻ in his *fiqh*, or that He ﷻ has obligated us to obey him and that he is infallible. If we follow one of them, it is because we know that he is knowledgeable concerning the Book of Allah ﷻ and the Sunnah of his Messenger ﷺ. His words are not without either a clear reference to an explicit text in the Holy Qur'ān and the Sunnah, or by way of inference or analogy in such a way that the ruling is tied to a certain condition. If his heart feels assured with that knowledge, he measures what is in the texts to what is not there. It is as though he is saying: I thought the Messenger of Allah ﷺ meant: Whenever you are confronted with this operative cause, then, the ruling is such and such. The object of analogy then goes under the same category, since it is also attributed to the Prophet ﷺ by way of assumption. Had it not been like that, no believer would have followed a *mujtahid*.

Look closely how the words of al-Dihlawī contradict those the author of the *Kurrās* tried to put in his mouth. You can refer to both his books, *al-Inṣāf* and *Ḥujjatullāh al-Bāligha*, to verify the words we cited from him. Undoubtedly, al-Dihlawī spoke in this regard about the unlawfulness of *taqlīd* in the case of someone who attained the level of *ijtihād* in a certain issue or in all issues and rules. Then again, his words are not a matter of contention nor do they require further research, as we have explained. No reasonable being would elicit any claim from him in regards to the unlawfulness of *taqlīd* or adhering to a specific Madhhab in the case of someone who is incapable of *ijtihād*. This is one thing, and that is something else. I do not know the motive behind mixing the two together.

Fifth Evidence: The author of the *Kurrās* cites from

al-'Izz bin 'Abdul Salām, Ibn al-Qayyim, and al-Kamāl bin al-Humām. Through quoting them he is trying to support the claim for which he has published the *Kurrās*, namely that it is unlawful to adhere to a specific Madhhab, and that it is necessary for everybody to draw directly from the Holy Qur'ān and the Sunnah, or that people should always move from one *mujtahid* or Imām to another without stopping at one in specific. All that he cites from them does not lend support to his false claim.

How can what they said be an evidence for any of that when those whom he quotes, themselves adhere to a specific Madhhab, and none of them was known to have changed the Madhhab he adhered to? Al-'izz bin 'Abdul Salām was Shāfi'ī, Ibn al-Qayyim was Ḥanbalī, and al-Kamāl bin al-Humām was Ḥanafī.

All of the statements of these Imāms are regarding those three matters that we said were not the point of contention – issues that none of the fair-minded scholars argued with. As for some of what they said being a proof for what the author of the *Kurrās* wants to spread and gather followers for, then he is far off the mark in that.

First, here is what al-'Izz bin 'Abdul Salām said in his book, *Qawa'id al-Aḥkām*, Vol. 2, p. 135:

> It is not allowed for anyone to follow one he has not been ordered to follow, such as in the case of a *mujtahid* following another *mujtahid*, or in the case of following the Companions of the Prophet ﷺ. In these issues there are disagreements among scholars, but the answer to whomever contradicts that is Allah's words: "...Judgment is only Allah's; He has commanded that you shall worship none but Him..." [Holy Qur'ān, 12: 40]. An exception to

> that would be the laymen whose job it is to practice *taqlīd* because of their lack of ability to know the rulings through *ijtihād.* They are unlike the *mujtahid* for he is capable of research that leads to a ruling. Whoever follows an Imām (*taqlīd*) and wants to change to another Imām, can he do that? It is differed upon; the preferred opinion is that there are some details to this. If the Madhhab he wants to switch to abrogates a ruling, then he should not switch just because of this abrogation. However, if the positions of the Imāms are alike then he can switch freely [between them] because people, since the times of the Companions till the time the four Madhhabs appeared, used to follow the scholars without there being any censure from those whose censure would count. Had this been unlawful, they would have indicated as much. Also, it is not obligatory to practice *taqlīd* of the best – even if that is more appropriate. If *taqlīd* of him would have been obligatory, people would not have followed all scholars alike, during the times of the Companions and those who came after them, without censure. The better scholar did not invite everyone to follow him, nor did the less learned scholar deny that there were better scholars than he when he was asked about an issue. This was certainly the case that cannot be denied by any reasonable person.

I have quoted his words at length leaving nothing out, so that you can see that what this Imām said was exactly the opposite of what the author of the *Kurrās* has put in his mouth. The author of the *Kurrās* makes it mandatory for them to follow that which is Divinely protected from error and abandon that which is not, while al-'Izz bin 'Abdul Salām makes *taqlīd* mandatory for the laymen. Al-'Izz bin 'Abdul Salām also makes it the default case for a *muqallid* to adhere to a specific Imām, then elaborates on the validity of his wish to switch to another Imām, within certain conditions. So, according to al-'Izz bin 'Abdul Salām, there is

nothing that should bar one from adhering to a specific Madhhab without ever switching from it. The author of the *Kurrās*, however, stipulates that a *muqallid* keep switching from one Madhhab to another. It is quite strange how the author of the *Kurrās* puts words in the mouth of al-'Izz which he did not say, while, in fact, what al-'Izz bin 'Abdul Salām said was quite the opposite of such words![9]

Then al-'Izz bin 'Abdul Salām, after the quotes I cited from him, went on to censure [some of] the *fuqahā'* who find a weakness in the position taken by the Imām of their Madhhab in a certain matter, after having researched it and established certainty about it to the extent that makes it unjustifiable for them to leave their findings and follow the Imām. Yet they continue to do so, thereby leaving the Holy Qur'ān, the Sunnah, and all the correct analogies just to stick to [the position of] their Imām. Al-'Izz bin 'Abdul Salam spoke at length about that and did a good job.

But how is this relevant to the claim of the author of the *Kurrās*? And what is the justification for what this man is doing in trying to use these texts as a cover for his naked claims? Has he not seen the other lengthy discussion which comes directly before this paragraph which could have helped him understand the meaning of what he was reading or where the discussion was heading? Has he really not seen it or found it, or is it that he has seen it, understood it, but ignored it and exonerated it, and has copied what comes after it, putting words in the mouth of the man of which he is completely innocent?!

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[9] Look at the top of page 13 in the *Kurrās*. We do not know why the committee who refuted our book was silent about showing the truth in regards to al-'Izz bin 'Abdul Salām, and exonerating him from the fabricated lies against him. Instead they only resorted to foul language.

Next, here is what Ibn al-Qayyim said:

In his book, *I'lām al-Muwaqi'īn* (Vol. 3, p. 168), he spoke in detail about *taqlīd*, dividing it into what is unlawful to discuss or give *fatwā* in, into that which should be pursued, and into that which is justifiable without obligation. As for the first kind, it is divided into three types, one of which is to ignore what Allah ﷻ has revealed, and to solely imitate the forefathers. The second is when a *muqallid* follows someone of who he is not sure is qualified. The third type is *taqlīd* in spite of a compelling argument against the position of the person being followed.

Ibn al-Qayyim went on at length to explain the negative effects and harms of the unlawful *taqlīd* which he restricted to those three types. Throughout all of his lengthy discussion in regards to his dismissal of *taqlīd*, attacking it, and warning against it, reference was made to those three types which he delineated under the first kind. A superficial reader may read part of his lengthy discussion without having a clue as to the source and the point of the argument, and may find himself under the illusion that he was dismissing *taqlīd* completely, and may conclude, in excerpts from his extensive discussion, that *taqlīd* is unlawful, as the author of the *Kurrās* has done.

However, an alert reader knows that Ibn al-Qayyim based his detailed discussion on the division he had made into the point of his research. A crystal clear evidence of that would be, in addition to the quotes I cite from him, his saying, in the context of discussion:

> If it is said: Only he who imitated the disbelievers and his ignorant and misguided forefathers was condemned, whereas he who imitated the rightly guided scholars was not condemned, we should remember that Allah ﷻ ordered us to ask the people of the Reminder who are the

> knowledgeable scholars, and this is *taqlīd* of them. Allah ﷻ says: "Ask the people of the Reminder, if you know not" [Holy Qur'ān 16:43]. This is an order to him who does not know to follow the one who knows. The answer is that Allah, the Exalted, condemned the one who ignores what He has revealed and imitates the forefathers instead. This latter type of *taqlīd* was unanimously condemned and declared unlawful by early scholars as well as the four Imāms. As for the *taqlīd* exercised by someone who has done his best in following what Allah ﷻ has revealed, but part of it was ambiguous to him, so he sought the position of someone more knowledgeable than he, then this kind of *taqlīd* is commendable, rather than condemnable. It is also rewarded rather than being sinful, as we shall see when we talk about recommended and justifiable *taqlīd*, Allah willing.

Ibn al-Qayyim spent about a hundred pages condemning the unlawful *taqlīd*, and it seems that he forgot, after his extensive discussion, to talk about the other kind of *taqlīd*, that which should be pursued, which he promised to talk about. Instead, he moved directly to speak about the texts (Holy Qur'ān and Sunnah) and the unlawfulness of giving *fatwās* inconsistent with them, as well as the position of the Sunnah in relation to the Holy Qur'ān.

Anyone who has the patience to read in depth, unhurriedly, and meticulously, the discussions of Ibn al-Qayyim in his book, *I'lām al-Muwaqi'īn*, will find many oddities such as the one we pointed out. At times he subcategorizes his main point, and starts dealing at length with parts of it, and veers off into a totally different topic without going back to cover the parts he left. He did that in the example we just presented. At times he slips into odd contradictions whose reasons are not clear. An example of that is the contradictions he made when discussing

rather extensively, legal loopholes and their rulings.[10]

At any rate, in a different part of the book he [Ibn al-Qayyim] spoke about the validity and necessity of *taqlīd* for someone who has not attained the level of *ijtihād*. He dedicated long chapters related to prerequisites and manners of *fatwā*. He showed the duties of the layman and the scholar who have not attained the level of *ijtihād*, and how they should follow an Imām to guide them, and how they should imitate him in the rulings of what is lawful or unlawful. He also indicated that they cannot give *fatwās* to people, even if they have the books of Ḥadīth, and they can find a Ḥadīth relevant to their *fatwā*. Here are excerpts where he speaks about that:
He said in (Vol. 4, p. 175)

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[10] In this book, there are strange inconsistencies any patient scholar who reads it completely can find. Most conspicuous among such inconsistencies is when he listed a number of loopholes concerning breaking the oath of *khula'* (when a wife pays the husband an amount of money or give him property in return for getting her divorce from him). He said it is an unlawful legal loophole and false according to the fundamentals of all of the Imāms, because Allah ﷻ and His Prophet ﷺ have not sanctioned breaking such an oath. He started to lay blame on those who allowed it (Vol. 3, p. 271). Then he mentioned ways of getting around such restrictions. He mentioned the example of *khula'* which he earlier condemned, and about which he said (Vol. 4, p. 110):

> The Eleventh Loophole: Breaking the oath of *khula'* according to al-Shāfi'ī and those who allow it. Although the people of Medina and Imām Aḥmad did not allow it, if a necessity arises, then it is to be sanctioned based on ten reasons.

He started listing the reasons, although he had, three hundred pages ago, condemned it rather strongly.

> **The Twentieth Benefit:** A *muqallid* is not allowed to give *fatwā* in something he himself is a *muqallid* in and has no insight about, except for [mentioning] the fact that it is the position of someone he follows. On this, there is a consensus of all the early scholars, and it has also been expressed by Imām Aḥmad and al-Shāfi'ī. Abū 'Amr bin al-Salāḥ said: "Abū 'Abdullāh al-Ḥalīmī, Imām of the Shāfi'īs beyond the river, as well as Qādī Abū Muḥsin al-Rūyānī, the author of *Baḥr al-Madhhab*, among others, have established that a *muqallid* may not give *fatwā* in something he himself follows someone else in.

Ibn al-Qayyim went on, at length, to back this ruling showing that it is right.

In (Vol. 4, p. 196) he said:

> **The Twenty First Benefit:** If a man studied *fiqh*, and read one book or more on it, yet he was unqualified in understanding the Holy Qur'ān, the Sunnah, works of ancestors, inference, and preponderance, is it then justifiable to follow his *fatwā*? There are four positions on that...what is correct is that there is some detail [to it]. If the one seeking *fatwā* has access to a scholar who can guide him, he cannot seek the *fatwā* of someone like that [who is unqualified], nor is the latter allowed to give his *fatwā* in the presence of such a [qualified] scholar. If, however, the one seeking *fatwā* cannot find anyone else other than this person, then he can refer to him which is better than doing something without knowledge.

He said in (Vol. 4, p. 215):

> **The Thirtieth Benefit:** If a man is a *mujtahid* in an Imām's Madhhab and his *ijtihād* is not independent from that

> Madhhab, can he give *fatwā* based upon his Imām's position? There are two sayings on that [issue], and it is two angles, one from the companions of al-Shāfi'ī, and [one from the companions of] Aḥmad. One says it is allowed because the follower of the *fatwā* is following the dead Imām and not him. The other says, it is not allowed because the seeker of *fatwā* is basically following him [the *mujtahid* in the Madhhab] rather than his Imām and he who has not exercised *ijtihād* for him [the questioner]. In effect, the seeker is saying: 'I will follow your *fatwā*'.

In (Vol. 4, p. 215) he said:

> Is it allowed for the living to imitate the dead and follow his *fatwā* without referring back to the evidence verifying the validity of following it? There are two opinions on that from the followers of Imām Aḥmad. Those who prohibited it argued that if the Imām was still alive he would have changed his *ijtihād*, and would have reconsidered his position in light of the new circumstance. The other opinion is that it is allowed, and many *muqallids* in all parts of the world do that, and the best thing they have in their hands is through following the dead...Words do not die with the death of their speaker, nor does information die with the death of its narrator.

He said in (Vol. 4, p. 234):

> **The Forty Eighth Benefit:** If a man possesses one or both *Ṣaḥīḥs*, or a reliable book on the Sunnahs of the Prophet ﷺ, can he give *fatwā* based on what he finds in them? ... The correct answer is that there is some detail to this. If the meaning of the Ḥadīth is clear, and explicit to anyone who hears it, and allows no other interpretation, then he can go ahead and follow it, and give *fatwā* in it without waiting for

> approval from a *faqīh* or an Imām since the evidence is the words of the Messenger of Allah ﷺ. If however the meaning of the Ḥadīth is not clear, he is not allowed to follow or give *fatwā* based upon an imaginary interpretation unless he consults to verify the interpretation of the Ḥadīth ...

Then he said:

> This is all contingent on the fact that he is qualified yet has a shortcoming in the knowledge of the branches and the principles of the scholars of *uṣūl*, as well as Arabic. If there is no qualification at all, then he is to follow what Allah ﷻ has ordered: "Ask the people of the Reminder, if you know not" [Holy Qur'ān 16:43].

He said in (Vol. 4, p. 237) in answer to the question: Can a Muftī give a *fatwā* based on a Madhhab other than that of his Imām?

> It was quoted from Abū 'Amr bin al-Salāḥ that he said: "He who finds a Ḥadīth that is inconsistent with his Madhhab, and in whom qualification for *ijtihād* is absolute in that particular matter, then he should, as a priority, follow the Ḥadīth. If, however, his qualification for *ijtihād* is not absolute yet he has some uneasy feelings about contradicting the Ḥadīth, after having researched and not found a sufficient response to justify opposing it, he should investigate: Has an independent Imām acted upon it or not? If he finds that, then he may follow his Madhhab in acting upon that Ḥadīth, and this would be an excuse for him to leave the Madhhab of his Imām."

Right after that, he said:

> **The Fiftieth Benefit:** Can a Muftī who belongs to a

> Madhhab of an Imām give *fatwā* based upon another Madhhab if the evidence becomes preponderant for him? If he follows the school of that Imām in *ijtihād* and in researching the evidence, he can give *fatwā* based on what is preponderant to him from the view of that other Imām. If he is a *mujtahid* bound by the positions of his Imām, it was said: He may not give *fatwā* based on other than that of his Imām, and if he is to do so, he should state that it is said by so and so. What is correct in this issue is that if evidence becomes preponderant for him that is not based upon the position of him Imām, he should discard the methods of his Imām in that regard. The Imāms are in agreement on that. Whenever someone encounters something preponderant then his method becomes invalid, and the preponderant evidence is to be followed. If it becomes clear to this *mujtahid* who is bound by the methods of his Imām that the evidence is preponderant and correct, then he can give *fatwā* based on that evidence and at the expense of his Imām's position. And all success is from Allah ﷻ.

These were excerpts quoted from his discussion about *fatwā*, its prerequisites and manners. Are these words which declare *taqlīd* to be unlawful, or make it mandatory for people to go directly to the Holy Qur'ān and the Sunnah? Does he make it unlawful to follow a specific Madhhab, or does he ask from the *muqallid* to keep changing from one *mujtahid* to another?

Do you not see that every one of these excerpts is a clear statement beyond doubt, that an ignorant person may only be a *muqallid*, and that a person who follows a specific Madhhab may not give *fatwā* in a matter based on any other Madhhab unless he is a *mujtahid* in it, and that *taqlīd* of a dead person is the same as the *taqlīd* of a living person because words do not die with the death of their speakers, as he put it, and that relying on books of Ḥadīth alone does not make a *muqallid* a

mujtahid?!

If Ibn al-Qayyim was of the same position as that of the author of the *Kurrās* that *taqlīd* of Imāms is tantamount to following those who are not Divinely protected from error, while following the Prophet ﷺ is tantamount to imitating the infallible, then why is it that he made *taqlīd* of the four Madhhabs the topic of his discussion and the basis for his definitions? Why is it that he made it imprudent for a *muqallid* to rely on books of Ḥadīth and prohibited him from giving *fatwā*, and prohibited the seeker of *fatwā* to depend on him? Why is it that he warned the *muqallid* not to give *fatwā* based on a position other than that of his Imām unless he was a *mujtahid* in that particular matter? Why is it that he reassured the *muqallid* that his *taqlīd* of a dead person was valid and not prohibited?

I have spent a considerable amount of time quoting from Ibn al-Qayyim because of the bigotry I know that some of the advocates of '*lā madhhabiyya*' have for his opinions. They are so particular about him that they display more abominable bigotry than that which they accuse the majority of Muslims of in terms of following their Imāms. I have done this hoping that if they were to consider closely his writings, they may find it easier to return to the path of truth. As for the quote which the author of the *Kurrās* has chosen from what Ibn al-Qayyim said in this regard, in order to back his claim about the unlawfulness of adhering to a specific Madhhab, it is quite far from having anything to do with backing such a claim. Here is the text of Ibn al-Qayyim which the author of the *Kurrās* has chosen from his discussion:

> A layman has no Madhhab even if he were to follow one. A layman does not have a Madhhab so as to say: 'I am Shāfi'ī, Ḥanafī, Ḥanbalī, or Mālikī', because saying so does not

make it true.

What Ibn al-Qayyim said before that and after it is an explanation of what is undisputed, namely that it is not mandatory for a *muqallid* to follow one Madhhab in all matters. We have said that this is agreeable and have set it aside from the sphere of discussion. But this paragraph which we cite gives the illusion, if taken separately, that the claim made by the author of the *Kurrās* is credible in regards to condemning *taqlīd* and asking people to rely directly on the Holy Qur'ān and the Sunnah.

However, the intended meaning in this quote is far from that. The intended meaning is what many scholars have said all along. Namely, that if a layman finds a Muftī for the matter he is seeking *fatwā* in, and he asks him about it, then the layman is bound to follow what the Muftī tells him. A layman may not ask the Muftī to give him a *fatwā* based on a specific Madhhab because a Muftī is a *mujtahid* otherwise he would not have been called that, nor would he have been appointed to such a position. A *mujtahid* answers the question posed by a seeker based upon the conclusions of his *ijtihād*. He does not have to follow the position taken by another *mujtahid* like him, in order to give that layman a *fatwā* based on the layman's Madhhab. A layman may inquire about what al-Shāfi'ī said in that particular matter of his, and the *mujtahid* may tell him what he said in its regard, as a way of reporting not as a *fatwā*. But for the layman to stipulate that a Muftī give him *fatwā* based on the Madhhab of his Imām is untenable because he will be considered an ignorant person who claims knowledge of a certain Madhhab. If this is truly the case, then he need not seek *fatwā* from this *mujtahid*. To express this intended meaning, without allowing any doubt, scholars have said: The Madhhab of a layman is that of his Muftī. A layman, accordingly, has no particular Madhhab.

But what happens if a layman turns around and finds no Muftī (meaning here, an independent *mujtahid*) or *muqallid* scholars who follow particular Madhhabs, who are only called Muftīs rhetorically or metaphorically?[11] The rule that a layman is of the Madhhab of his Muftī does not apply at all in this case, simply because he has no Muftī. However, he may seek *fatwā* from *mujtahids* who have passed away. You recall that many scholars, and on top of their list Ibn al-Qayyim, said that words do no die with the death of their speakers. Hence, the living are allowed to exercise *taqlīd* of the dead.

Some of the best *mujtahids* of the past he could ever seek *fatwā* from are the four Imāms who have earned the consensus of scholars of this faith because of the service, the scrutiny, and the honesty of referencing their schools have managed to amass. It is also because of the reassurance in these schools, in the soundness of their chain back to the original founders. Such advantages have never been available in any other schools. That is why he may ask any one of them, through asking scholars and *fuqahā'* versed in them, or he may study their works if he is able to do so. He may follow one of them in all matters and rulings if he so chooses and he may switch from one to another within the constraints scholars have mentioned, parts of which we have gone over. By doing that, a layman has not broken the rule of him being of the Madhhab of his Muftī. If he cannot find a Muftī and he has to seek a *fatwā* of Imām al-Shāfi'ī, for example, he becomes Shāfi'ī himself by virtue of the same rule.

This is the meaning intended by Ibn al-Qayyim, and you find it clearly detailed in many books dealing with methods of *ijtihād*. Go through any of them, and you will find that in detail.

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[11] This is known by the smallest of students who have studied the difference between these words: Muftī and scholar.

Here is what Kamāl bin al-Humām said in this regard. He said in *al-Taḥrīr*:

> And does he follow anyone else (by way of *taqlīd*) in any other matter? The preferred view is yes because it has been decisively established that they used to seek *fatwā* of one at times, and switch to another for another *fatwā*, without adhering to one specific Muftī. If he adheres to a specific Madhhab like say that of Abī Ḥanīfa or al-Shāfi'ī, then some argue that he can (seek *fatwā* of someone else) and others argue he cannot.

The author of *al-Taḥrīr* was of the opinion shared by many scholars according to which the preponderant answer would be that nothing is mandatory that was not made so by Allah ﷻ, and Allah has made it mandatory only for the ignorant to be a *muqallid* of a *mujtahid*, but He ﷻ has not made it mandatory to adhere to one *mujtahid*. The odd thing is that the author of the *Kurrās* attributes to Kamāl bin al-Humām a long discussion which he did not say. Rather, it was said by Ibn Amīr al-Ḥājj in his explanation of *al-Taḥrīr*. His book is titled, *al-Taqrīr wal Taḥbīr*, but our scholar, the author of the *Kurrās*, confusingly attributes it to Ibn al-Humām although he said none of it. He further, attributes to Ibn al-Humām the book *al-Taqrīr wal Taḥbīr*, which he did not write.[12]

Yet what Ibn Amīr al-Ḥājj said in this regard is no different from what Ibn al-Qayyim said. A layman who seeks a *fatwā* of a Muftī is of no particular Madhhab and that his Madhhab is the Madhhab of his Muftī. We have gone over this and have explained its intended meaning.

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[12] See *al-Taqrīr wal Taḥbīr* by Ibn Amīr al-Ḥājj, Vol. 3, p. 350.

Sixth Evidence: He claims that the four Madhhabs were the outcome of the despotic policies by the ill-intentioned non-Arabs who usurped power. The author of the *Kurrās* supports his claim by quoting from Ibn Khaldūn's *Muqaddima*, saying:

> If you want to know the reasons behind the emergence of those Madhhabs and paths, you must read the *Muqaddima* of Ibn Khaldūn, because he did a fine job, may Allah reward him for it. He explained how Madhhabs came about and became popular as a result of the ill-intentioned non-Arabs' usurpation of power and their despotic policies.[13]

I say to that: well, we did what the author of the *Kurrās* suggested. We went back to Ibn Khaldūn's *Muqaddima* and read it, paying close attention to his discussion on the origin and reasons of Madhhabs, but we have not come across anything of the sort the author of the *Kurrās* attributes to it. We only came across that which is truthful and agreeable to the majority of Muslims. What we have found is not likely to please the author of the *Kurrās*. Ibn Khaldūn said, when speaking about *fiqh*, its origin, and how Madhhabs came about:

> Not all the Companions were people of *fatwā* nor was the religion taken from them in its entirety. Only those among them who knew the Holy Qur'ān well, its texts, abrogative and abrogated verses, its clear and unclear [verses], and connotations as revealed to the Prophet ﷺ, or those who heard it from them and were of their caliber were [people of *fatwā*]. That is why they were referred to as *qurrā'* (reciters). This state of affairs prevailed in the early years of Islam. When Islam expanded, and illiteracy disappeared among the Arabs, through their study of the Holy Qur'ān, inference came about, and *fiqh* became more accomplished

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[13] The *Kurrās*, p. 45.

> turning into a profession and a discipline, the *qurrā'* back in the early days of Islam were now known as *fuqahā'* (jurists) and *'ulemā'* (scholars). There appeared two methods to *fiqh* among them: There were the proponents of *rā'ī* (opinion) and *qiyās* (analogy) in Iraq, and the proponents of Ḥadīth in Ḥijāz. Ḥadīths in Iraq were rare as we mentioned previously, so people relied heavily on analogy and excelled in it; hence, the labels 'opinion' and 'analogy'. Leading among them, and one of their founders was Abū Ḥanīfa al-Nu'mān. As for those in Ḥijāz, they had Imāms such as Mālik bin Anas, and al-Shāfi'ī after him. Some scholars later censured analogy and invalidated acting in accordance with it. They belonged to the Ẓāhiriyya. They constrained clear analogy and textually stated logical reasoning to the texts and consensus, because the Divine text stating the legal reasoning for something is a Divine text stating the legal ruling in all of its facets. The leading Imām of this Madhhab was Dāwūd bin 'Alī, his son and their companions. Those were the Madhhabs that were popular among the people back then. (p. 216).

He further explained how the Shī'a innovated schools and jurisprudence of their own, and he said the same thing about the Khawārij, and how both parties veered off the path of the majority of Muslims and their agreed upon Madhhabs. He also explained how the Ẓāhirī school vanished after the death of its Imāms as well as the writing down of the principles and formulation of legal maxims taken from the Divine texts and opinion, as well as the disapproval its followers were met with by the majority; very little, he said, remained of their opinions.

Then he said:

> Nothing remained [of this Ẓāhiri *fiqh*] save what is found in some books. Perhaps it is so that many students that have

> taken it upon themselves to adopt their Madhhab will peruse these books and seek to take their *fiqh* and Madhhab from them – even though that will achieve nothing save their opposition and censure of the majority [of scholars], and potential joining up with the people of innovation due to taking knowledge merely from the books without the keys of the teachers.

Then Ibn Khaldūn provided biographies of the four Imāms explaining the great service their schools rendered, the extent of their knowledge and how they went about adopting *fiqh*, and explaining the methods some had pursued. He showed how the followers of Abū Ḥanīfa had managed to integrate the method of those in Iraq with that of [those in] the Ḥijāz, resulting in the convergence of both schools. He showed the popularity of each of the Madhhabs and in which region they were popular. Then he said:

> The people after that were able to close the door in the face of dispute at a time when terminology became more complex, and it was harder to achieve the rank of *ijtihād*, and when it was feared that [*ijtihād*] might get attributed to someone not from its people, who is not to be relied upon in neither his opinion nor religion.

This is a summary of what Ibn Khaldūn said about Madhhabs and their origins. None of that is comforting to the author of the *Kurrās* as he cannot find any support in it for his claim. I urge the reader to refer to this discussion in Ibn Khaldūn's *Muqaddima.* I urge him to read it fully, and try hard to put his finger on one single word he may come across that talks of the despotic policies which, as he [the author of the *Kurrās*] puts it, brought about the four Madhhabs. Let the reader call this deed by the author of the *Kurrās* by any name the Arabic language or any other language allows. The reader should excuse me for not

doing that myself, for I have committed myself right from the start of this research not to deal with this topic in any other manner than that of scholarly objectivity. I made the commitment not to allow my pen to write any expression or name-calling that might not be quite to the standard [of objectivity] although the *Kurrās* is replete with such expressions and name-calling.

Seventh Evidence: He said:

> It can be said to the *muqallid*: What did people follow before so and so came along, whom you make *taqlīd* of and make their positions like that of the texts of the Lawgiver? Were people before that guided or misguided? They must concede that they were guided, which leads us to the next question: What was it that they followed other than the Holy Qur'ān, the Sunnah, and the reports of the Companions? They relied on the words of Allah, of His Prophet, and the reports of the Companions whenever they needed a ruling. They did not have to consult the opinion of so and so. If this is the right path, then what is there after the truth other than misguidance? How they are beguiled? [14]

We say to this rather odd evidence, providing an answer on behalf of the *muqallid* who the author of the *Kurrās* is questioning: We say: before so and so appeared, people used to do what Ibn Khaldūn said in the very chapter you [al-Khajnadī] yourself relied upon. Did he not say:

> Not all the Companions were people of *fatwā*, nor was the religion taken from them in its entirety. Only those among them who knew the Holy Qur'ān well, its texts, abrogative

[14] The *Kurrās*, p. 38.

> and abrogated verses, its clear and unclear [verses], and connotations as revealed to the Prophet ﷺ, or those who heard it from them and were of their caliber were [people of *fatwā*]. That is why they were referred to as *qurrā'* (reciters).

What do these clear words mean?

If the number of the Companions who were qualified enough to give *fatwā* or to be *mujtahid* was limited, while the rest among them were not qualified, then where did the rest of them [i.e. the Companions] learn their religion? It is no crime that they received it from those excellent and limited numbers [of Companions] that were qualified in *ijtihād* and inference. Is *taqlīd* anything else other than that? So, things have not changed since then. The laymen from among the Companions used to follow, during their time, those among them famed for *fatwā* and *ijtihād*. Even after their time, those who came after them from the followers did the same thing. Al-Shāfi'ī, Abū Ḥanīfa, Aḥmad, and Mālik are but a group of those *mujtahids* who the laymen were allowed to follow in the same way people before them followed those who were similar to them. And in the same way, many commoners from among the Companions were allowed to imitate *mujtahids* of their time such as Ibn 'Abbās, Ibn Mas'ūd, Zayd bin Thābit, and the Guided Caliphs.

Have historians and historiographers of Islamic jurisprudence not established that during the early years of Islam there appeared two great Madhhabs, one in Iraq, and the other in the Ḥijāz, and that the majority of people in the Ḥijāz followed the Madhhab prevalent among them, as did those in Iraq, and that the former had its Imāms as did the latter?

Why is then the appearance of the four Madhhabs inconsistent with the reality back then? Nothing was new. The Imāms of

those Madhhabs merely laid down methodologies for inference and deriving them from the evidence of the Holy Qur'ān and the Sunnah, and to set the rules for sound opinion and analogy, distinguishing them from faulty opinion and analogy. This bridged the gap between the two Madhhabs of Opinion and Ḥadīth. Gradually, both excessiveness on one side and shortsightedness on the other disappeared.

This was a major factor that helped elevate the stature of these four Madhhabs in terms of research and *ijtihād.* It was a major factor as to why people from all walks of life received them well, followed them, and started relying on them. This is a well-known and established fact. I do not think it merits the time to provide a lengthy proof for it.

Hence, what is the new thing that transpired in the reality of *ijtihād* and *taqlīd* that justifies the words of the author of the *Kurrās* when he says, "What did people follow before so and so came along, and you started following them..?" as though he had cornered his opponent leaving him no way out? What misguidance, and what lie have the *muqallids* of the four Madhhabs been victims of when they are no different from those before them who followed the Madhhabs of Opinion and Ḥadīth, and no different from those from among the Companions who followed Imāms and *mujtahids* among them?!

Necessity of *Taqlīd*
The validity and evidence for adhering to a specific *Madhhab*

We have summarized the evidences the author of the *Kurrās* has used to support his claim, and have shown to the fair-minded reader beyond a reasonable doubt that they do not merit the label 'evidences', and that they are only evidences because the author calls them as such. They are words which are not backed by [the kind of] evidence that can hold in a scholarly discussion. For the author of the *Kurrās* to call them evidences changes nothing of their true nature.

We have ignored in the course of our discussion whatever was related to the three issues agreed upon by all scholars. We have set these issues aside from the arena of dispute as there was no need to waste time going over them.

Yet we do not have to prove the opposite of the claim made in the *Kurrās* by merely providing a rebuttal of his false proofs. We have to provide evidences of our own, establishing the falsehood of his dangerous claim, evidences that will prove quite the contrary of his claim.

What the author of the *Kurrās* is trying to establish boils down to two issues of which we do not understand how they can be made compatible, nor do we know how they converge in his mind.

The first issue being the claim often repeated throughout his *Kurrās*, that *taqlīd* is absolutely forbidden based on the argument that a *mujtahid* is not Divinely protected from error while the Holy Qur'ān and the Sunnah are. And that following that which is Divinely protected from error is better than following that which is not Divinely protected from error. As

well as the claim that *ijtihād* is easy and requires no more than a few books such as *al-Muwaṭṭa'*, the two *Ṣaḥīḥs*, *Sunan Abī Dāwūd*, and *Jāmi' al-Tirmidhī*. (*Kurrās*, p. 12, 40).

The second issue is the claim often repeated as well throughout the *Kurrās* that a *muqallid* should not follow a specific Madhhab. If he does, then he is misguided and may be likened to a 'wild donkey' (*Kurrās*, p. 24, 25). I do not know how these two issues can go together when *taqlīd*, according to him, is forbidden altogether because it is *taqlīd* of something that is not Divinely protected from error. Then, what is the point of forbidding only one kind of *taqlīd*, namely that of adhering to a specific Madhhab? Similarly, if only this kind of *taqlīd* is forbidden, then why discard *taqlīd* altogether based upon this dichotomy of that which is Divinely protected from error and that which is not?

I do not know what kind of judgment exists in the mind of the author, but I will provide proof that *taqlīd* is an inescapable matter among Muslims, that it is lawful for a *muqallid* to choose to adhere to a specific Madhhab without having to switch from it, and that by doing so he is committing neither a sin nor a misdeed.

First, Taqlīd is inescapable and sanctioned by the consensus of Muslims: *Taqlīd* is the following of the scholarship of someone based upon the credibility of his scholarship without knowing the evidence it relies upon. If knowledge of the evidence is attained based upon the validity of *taqlīd* itself, then the *muqallid* may know the evidence based on his following of the *mujtahid* scholar, and he perhaps does not know the evidence based upon the validity of what he is following the *mujtahid* in. There is no difference whether you call this *taqlīd* or *ittibā'*. They both mean the same thing. No difference in their linguistic meaning has been established.

Allah Almighty ﷻ spoke of the worst kind of *taqlīd* and/or *ittibā'*, saying:

> Then would those who are followed (*attubi'ū*) clear themselves of those who follow [them] (*attaba'ū*): They would see the penalty, and all relations between them would be cut off. And those who followed (*attaba'ū*) would say: "If only we had one more chance, we would clear ourselves of them, as they have cleared themselves of us." Thus will Allah show them [the fruits of] their deeds as [nothing but] regrets. Nor will there be a way for them out of the Fire. [Holy Qur'ān, 2: 166,167].

Undoubtedly, in this verse, "follow" refers to the blind following that is not allowed.

Even if you were to coin a new term to describe the difference between them, they still boil down to the same thing. For the researcher is a person who, either knows the evidence or is capable of inferring from it (in which case he is a *mujtahid*), or he does not know it nor the method to infer from it, (in which case he is a *muqallid* to the *mujtahid*). Having a multiplicity of expressions and technical nomenclature changes nothing in reality.

What then is the evidence for the legal validity and the obligation of *taqlīd* in case *ijtihād* is not possible?[15]

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[15] Mind you, our point here is related to the branches in terms of rulings, as for the issues related to creed and the principles of faith, no *taqlīd* in them is sanctioned, and there is consensus on that. The difference is that in matters of creed, mere conjecture is not sufficient. Rather, there must be certainty, as proven by Allah's statement: "And pursue not that of which you have no knowledge; for every act of hearing, or of seeing or of (feeling in) the heart will be enquired into

The answer has many facets.

Firstly: His ﷻ saying, "Ask the people of the Reminder if you know not." [Holy Qur'ān 16:43]. Scholars have unanimously agreed that this verse is a command given to those who do not know a ruling or its basis to follow those who do. The vast majority of scholars have depended on this verse to support the position that a layman has to follow (by way of *taqlīd*) the *mujtahid* scholar. Similarly, another verse proving this is Allah's words:

> Nor should the Believers all go forth together: if a contingent from every expedition remained behind, they could devote themselves to studies in religion, and

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(on Judgment Day)." [Holy Qur'ān, 17:36]. He, the Almighty, in condemning those who follow conjecture in creedal issues, says: "...They follow nothing but conjecture: they do nothing but lie." [Holy Qur'ān, 06:116]. Nothing causes me to arrive at certainty other than pondering, and independence in study and research. As for the rulings related to the branches, we worship Allah ﷻ by a decree of conjecture concerning them – meaning that He ﷻ made preponderant view of the *mujtahid* and researcher a legal proof that obligates them to act according to its dictates. The evidence for this is that he (the Prophet ﷺ) used to dispatch individual Companions to go out and teach the people the subsidiary rules concerning the rites of worship, and to follow him in what he says. This is despite the fact that the lone narrator reports (*khabar al-ahād*) do not benefit anything but conjecture – so it is as if he is saying to them, based on his own investigation or his *taqlīd* of a researching scholar: "The ruling is such and such, it is obligatory upon you all to implement it." This is the difference between the creedal obligations and actions based on legal rulings.

> admonish the people when they return to them— that thus they (may learn) to guard themselves. [Holy Qur'ān 9: 122].

Allah ﷻ has prohibited that everybody get drafted for *jihād.* He ordered that a group of them stay behind and be dedicated to gaining the *fiqh* in the religion, so that when people come from *jihād,* they can find someone who can give them *fatwā* in matters related to the *ḥalāl* (lawful) and *ḥarām* (unlawful) and explain to them the rulings of Allah. (Refer to *Tafsīr al-Jāmi' li-Aḥkām al-Qur'ān* 8/293, 294).

Secondly: Consensus has shown that the Companions of the Prophet ﷺ had varying degrees of knowledge, and that not all of them were qualified enough to give *fatwā,* nor was the *dīn* taken from all of them, as Ibn Khaldūn pointed out.

Among them were *mujtahid* Muftīs who were the minority in comparison to the rest, and the *fatwā* seeking *muqallids* who were the majority. The Muftīs among them did not have to show the proof to the *fatwā* seeker upon which his ruling was based. The Prophet ﷺ used to send *fuqahā'* from among his Companions to places where people only knew basic tenets and pillars of Islam. People used to follow the *faqīh's fatwā* and all his recommendations in regards to their business transactions, dealings, and all matters related to the *ḥalāl* and *ḥarām.* Whenever a *faqīh* encountered a matter he could not find in the Holy Qur'ān or the Sunnah, he would exercise *ijtihād* and would give people *fatwā* based on the outcome of his *ijtihād.* So people used to follow him in that.

Al-Ghazālī said in *al-Mustaṣfā,* in the chapter '*Taqlīd* and *Fatwā* Seeking', while speaking of the necessity of *taqlīd* for the layman:

> We find proof of that in two ways: First, the consensus of the Companions who used to give *fatwās* to laymen without asking them to attain the level of *ijtihād*. This has been known by necessity and through multiple transmissions carried out by scholars and laymen among them.[16]

Al-Āmidī in his book *al-Iḥkām*, said:

> As for consensus: Laymen, during the time of the Companions and the time of those who came after them, [always] used to seek *fatwās* and religious rulings from *mujtahids* who would answer their questions without pointing out the evidence they based it upon. They [i.e. the Companions] did not forbid them from doing that, which was a consensus for the legal validity of a layman to follow the *mujtahid* absolutely.

Those who issued *fatwās* in the time of the Companions were of a limited number. They were known for *fiqh*, narration, and were talented in inference. Most famous among them were the four Caliphs, ʻAbdullāh bin Mas'ūd, Abū Mūsā al-Ash'arī, Mu'ādh bin Jabal, Ubay bin Ka'b, and Zayd bin Thābit. As for the *muqallids* in their Madhhabs and *fatwās*, there were more than can be counted.

During the time of those who came after the Companions (al-Tābi'īn), the circle of *ijtihād* widened, and Muslims followed the same path of the Companions of the Prophet ﷺ. However, in this time *ijtihād* was represented by two schools, that of the school of Opinion, and the school of Ḥadīth, due to the factors we mentioned when we quoted Ibn Khaldūn.

Among the leading Imāms of the School of Opinion in Iraq

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[16] Al-Ghazālī, *al-Mustaṣfā*, Vol. 2, p. 385.

were: 'Alqama bin Qays al-Nakha'ī, Masrūq bin Ajda' al-Hamadānī, Ibrāhīm bin Zayd al-Nakha'ī, and Sa'īd bin Jubayr. The majority of people in and around Iraq had no problem following this school.

Among the leading Imāms of the School of Ḥadīth in the Ḥijāz were: Sa'īd bin al-Musayyib al-Makhzūmī, 'Urwa bin al-Zubayr, Sālim bin 'Abdullāh bin 'Umar, Sulaymān bin Yasār, and Nāfi' the freed servant of 'Abdullāh bin 'Umar. The majority of people in and around the Ḥijāz also had no problem following this school.

There were many arguments and disputes between the leaders of those two schools. However, these arguments did not concern the laymen or those who were of a lesser stature in knowledge and *fiqh*. They used to follow (by way of *taqlīd*) whomever they wanted or whoever was closer to them. The arguments those Imāms had did not necessarily reflect, nor did they incur any responsibility, on the illiterate who were excused.

Thirdly: Clear rational evidence based on reason; we express that by citing what 'Allāmah Shaykh 'Abdullāh Drāz said:

> ... Rational evidence in this [is to state] that if someone who does not possess the qualification for *ijtihād* is faced with a situation in regards to a legal issue, there are two choices to make in that case. He may either not be obligated with everything at all, in which case this is against consensus altogether. But if he does practice, he may then either look closely into the evidence upon which the ruling is based, and the other choice for him is to exercise *taqlīd*. The first choice (looking into the evidence) is prohibited, because it will lead him and the rest of the creation to look into the evidence of every issue and busy them away from

> earning a living, tending to the worldly professions and manufacturing, which will in turn lead them to the destruction of worldly life, farming and family. Completely removing *taqlīd* is the peak of burden and difficulty – so nothing remains but *taqlīd* – and it is that which is his obligation in the face of that duty.[17]

Since scholars see that Holy Qur'ān, the Sunnah, and reason make it necessary for a layman or a scholar who has not attained the level of *ijtihād* to do *taqlīd* of a *mujtahid* who knows the evidence, they say that the *fatwā* of a *mujtahid* to a layman is as binding as the evidence of the Qur'ān and the Sunnah is binding to a *mujtahid.* Just as the Qur'ān stipulates that a scholar thereof takes evidence from it directly, in the same way it stipulates that an ignorant person takes the *fatwā* of a *mujtahid.* In explaining that, al-Shāṭibī said:

> *Fatwās* of mujtahids to commoners are what *shar'ī* (legal) evidences are to *mujtahids.* The proof of that lies in the fact that for a *muqallid,* the existence or non-existence of evidences is the same, as they do not benefit from it at all. Investigating the evidence or making inferences is none of their concern, nor are they allowed to do that. Allah ﷻ said: "Ask the people of the Reminder, if you know not." [Holy Qur'ān 16:43]. A *muqallid* is no scholar, so he is only allowed to ask those who know the Scripture and refer to them absolutely in religious rulings. To him, they are in the position of the law and their legal views are in the position of the rules of the Lawgiver.[18]

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[17] See Shaykh 'Abdullāh Drāz' commentary on *al-Muwāfaqāt* by al-Shāṭibī, Vol. 4, p. 22. See also al-Ghazālī's *al-Mustaṣfā* and al-Āmidī's *al-Iḥkām.*

[18] See al-Shāṭibī, *al-Muwāfaqāt* Vol. 4, p. 292 and 290.

Having said this, I have to remind you of the excerpts we quoted from Ibn al-Qayyim, al-Dihlawī, al-'Izz bin 'Abdul Salām, and al-Kamāl bin Humām in the context of our rebuttal of the evidences presented by the author of the *Kurrās*. All of them contained proofs for the legal validity of *taqlīd* in the case of those whose knowledge does not qualify them to infer rules or exercise *ijtihād*.

If the evidence becomes clear to you based on authentic transmission, absolute consensus, and common sense, evidence that *taqlīd* is not only legally valid but necessary when ability for *ijtihād* is lacking, what difference does it make then if the *mujtahid* being followed (by way of *taqlīd*) is one of the Companions, or one of the Imāms of the schools of Opinion or Ḥadīth, or even one of the four Imāms as long as they were all *mujtahids*, and as long as the *muqallid* is not able to investigate the evidence, nor is he capable of inference?

How is it that the emergence of the four Madhhabs was an innovation, as is following them? Why was the emergence of the schools of Opinion and Ḥadīth not an innovation by the same token? Why is it that the *muqallids* of al-Shāfi'ī and Abū Ḥanīfa were considered innovators while the *muqallids* of al-Nakha'ī in Iraq and Sa'īd bin al-Musayyib in the Ḥijāz were not? Why is it that following these four Madhhabs was considered an innovation while following the Madhhabs of Abdullāh bin 'Abbās, 'Abdullāh bin Mas'ūd, or 'Ā'isha, the Mother of Believers was not?!

What innovations have these four Imāms introduced to make us discourage people from following them, or to accuse people of being innovators themselves if they follow them? What have they added to their predecessors of *mujtahids* during the time of the Companions and those that came after the Companions? All they had done that was new was to authenticate the Sunnah

and the *fiqh*, on the one hand, and lay down the basis for inferring rules from them, on the other. The outcome of their effort was that the gap between the two schools of Opinion and Ḥadīth was narrowed. Both sides now agreed to apply the new criteria which in turn were based on the evidence of the Sunnah and the Holy Qur'ān. Thus, the roots of these Madhhabs got stronger, so did the branches and scholars gave them more care and scrutiny which explains their durability as well as the popularity of their books. Scholars throughout the ages stood in defense on behalf of these Madhhabs. Not to forget, however, that no scholar who is capable of inferring a rule and is confident of his ability to understand its evidence, is to follow any of them in that matter.

That was the new thing distinguishing these four Madhhabs from others. So, what innovations do they contain, and what misguidance shall befall those millions who follow them? What is the scholarly or pseudo-scholarly reason that prompts the author of the *Kurrās* to claim that these Madhhabs were innovations that came about after the third century. How can it be justified that he likens the *muqallid* to a 'wild donkey'?

All I meant to do was to lay bare the truth about *taqlīd* and its validity, and about the place of the four Madhhabs in relation to what came before them, and about the realities of Muslims during and before the time of these Madhhabs. All I meant to do was to put in front of any reasonable and fair-minded reader these amazingly strange questions raised by the author of the *Kurrās*. I will not volunteer an answer for any of them because any reasonable reader will have sufficient reason to be convinced as to how far this *Kurrās* and its author have veered off the explicit and unambiguous truth.

Secondly: It is not unlawful for a Muqallid to adhere to a specific Madhhab. Having finished discussing how a person

incapable of *ijtihād* or inference cannot help but be a *muqallid*, and having supported that with the unambiguous proofs we have presented, we now turn to the following question:

Does a *muqallid* have to switch from the Imām he follows to another one every day, every month, or every year, for example?

If this is the ruling, in other words, if he has to keep doing that from time to time, then what is the evidence for the necessity of doing that? We answer by saying: A person who is ignorant of the evidence in a ruling has to be a *muqallid*, and the command in that is absolute as indicated in Allah's words: "Ask the people of the Reminder, if you know not." [Holy Qur'ān 16: 43]. So whenever this ignorant person asks those who know the Scripture and follows their *fatwās*, he has complied with Allah's command whether he adheres to one Imām because of proximity to him, ease of access to knowledge, or confidence in his opinion or Madhhab, or he does not. If he believes he has to adhere to a specific Imām, and that he is not allowed to switch to another, then he is mistaken. If he believes that this is a ruling from Allah ﷻ, and that he does not have to follow a *mujtahid* in that, then he has erred in his *ijtihād* and has committed a sin.

If he believes that he has to keep switching from one Imām to another everyday or every now and then, he is also mistaken. If he also believes that this is a ruling from Allah ﷻ, and has no excuse of being deceived by anyone pretending to be a *mujtahid*, then he is also a sinner because that amounts to changing Allah's command and ruling by adding superfluous content to it.

He has to understand that his duty is to follow a *mujtahid* in any matter whose evidence he cannot comprehend. Allah ﷻ has

not ordered that he do more than that. In other words, Allah ﷻ has not made it obligatory for him to make any commitment as to who he should follow. There is neither a necessity to keep switching Imāms, nor is there a necessity to adhere to one Imām all the time. This is the ruling agreed upon unanimously by scholars and Imāms. The evidence of that is of many facets:

Firstly: For it to be obligatory to follow a specific Imām or to keep switching from one to another is a ruling that is more than the original command asks for (i.e. the necessity of *ittibā'* or *taqlīd*). It has to have an evidence, but it does not. The only evidence there is, is that a person incapable of scrutinizing an evidence or inferring rulings from it has to follow an Imām capable of *ijtihād.* Any other stipulation added to this would be an unacceptable innovation warranting no attention. The Prophet ﷺ said: "Any stipulation that is not in the Book of Allah ﷻ is invalid even if it consists of a hundred conditions."[19]

The odd thing is that the author of the *Kurrās* finds proofs for the unlawfulness of adhering to a Madhhab with what we say, [namely] that there is no evidence for the necessity of adhering to it. Yet he asks the *muqallid* to keep switching Imāms, forgetting that he has contradicted himself, having decided a bit earlier that there is no proof for the necessity to adhere to a specific Imām.

If the obligation to follow [a specific Imām] has no proof, as we have said, then what is the difference for a *muqallid* to take it upon himself to switch or to not do that? Why would the former

[19] Narrated by al-Bazzār and al-Ṭabarānī. The two Shaykhs also narrated that 'Ā'isha said something that was similar in the wording: "What is the matter with men laying down conditions not found in the Book of Allah? Any stipulation not found in the Book of Allah is false even if it were a hundred conditions."

choice be an inescapable obligation, while the latter choice would be unlawful and unjustifiable, although both would go under the prohibited adherence?

Therefore, an excused *muqallid* only has to know the necessity of *taqlīd*. If he thinks that his obligation is to adhere to a specific Imām or that it is to keep switching from one to another everyday, then he is mistaken, and has to be guided to the truth. If he thinks that the Sharī'ah does not stipulate either of the two, then he is right whether he chooses to adhere to a specific Imām or to keep switching from one to another. [20]

Secondly: We say there are ten canonical readings (of the Qur'ān) conveyed through *tawātur* (being conveyed by witnesses so numerous at every stage of transmission that their sheer numbers obviate the possibility of forgery or alteration). Every Imām has been known to specialize in the service of these readings. He had his students in that. It has also been proven that any Muslim may choose any of these readings he wishes. Similarly, a Muslim, incapable of *ijtihād*, may choose to follow any of the four Madhhabs. Does any Muslim have to keep switching from one reading to another because it is unlawful for him to adhere to a specific reading?

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[20] However, the condition for this switching to be valid is that it is not driven by a selfish desire of the ego or to try and get away from duties. One cannot be a *muqallid* to more than one *mujtahid* in one single act of worship, according to most of the *fuqahā'* and scholars of *uṣūl*. If he does that, then it necessitates bringing forth a single act of worship that is morphed from the *ijtihād* of two Imāms in a manner that neither of the two would accept. It is also a condition that he [the *muqallid*] knows the Madhhab of the new Imām whom he wishes to follow.

Has any Muslim ever said that in the past or present? Even the author of the *Kurrās* himself we ask, does he keep switching from one style of reading to another everyday?

What is the difference between *ittibā'* of the Imāms of *fiqh* in branches of the religion, and *ittibā'* of the Imāms of the recital of the Holy Qur'ān? Why does the follower of the first have to keep switching while the follower of the later does not have to?

Some may say that a Muslim may have the means to learn only one reading, and may lack the means to know any other. We say the same thing about *ittibā'* of Madhhabs. A Muslim may have the means to know only one of the four Madhhabs, and may lack the means to be acquainted with the Madhhabs of the other Imāms in terms of the rulings he needs, so would we excuse the former but not the latter?

Yet, this issue is not one of excuse or the lack of excuse, rather it boils down to evidence. We have no evidence for the necessity to switch or to not switch – neither in following the Imāms of readings nor in following the Imāms of *fiqh* – so, the ruling in both is the same.

Thirdly: The time of the Companions has passed, so has the time of those who came after them. Then came the time of the four Imāms, and the time after it. We have not heard any Imām in those times warn *muqallids* not to adhere to a specific Imām or Muftī. Nor have we heard any Imām stipulate that people switch Imāms from time to time.

What we know is quite to the contrary. We know that the Caliph used to declare the name of the Imām to whom he had entrusted to give *fatwās*, and he would draw the attention of people in that town toward that Muftī, so that they could ask for and follow his decrees in religious matters. The Caliph would

prohibit those less qualified than that Imām to give *fatwās* in order to avoid confusions and conflicts in *fatwās*.

'Aṭā' bin Abī Rabāḥ and Mujāhid were distinguished in Mecca for giving *fatwā*. The Caliph's caller would tell people not to seek *fatwās* of anybody else but those two Imāms.[21] The people of Mecca spent a considerable amount of time adhering to the Madhhabs of those two Imāms. Neither 'Aṭā' nor Mujāhid, nor others, opposed the Caliph in that. None of them prohibited people from adhering to a specific Imām.

Some people found reassurance in the *fatwās* of 'Abdullāh bin 'Abbās, so they would not ask questions or seek *fatwās* except from this revered Companion. No scholar, or anybody else for that matter, prohibited people from adhering to him, nor did anybody accuse anyone that did [adhere to him] of committing a sin.

The People in Iraq spent a long time adhering to the Madhhab of 'Abdullāh bin Mas'ūd represented by him or his students after him. No scholar prohibited adherence to his Madhhab. People in Ḥijāz, too, spent a long time adhering to the Madhhab of Ḥadīth represented by 'Abdullāh bin 'Umar, his students and companions. No scholar prohibited adhering to their Madhhab of Ḥadīth.

Millions of people, be they laymen, scholars, or *fuqahā'* followed the Madhhabs of the four Imāms choosing whoever appealed to them or whoever was easier for them to understand or was geographically closer to them. Books have recorded thousands of famous people who did. You may read these names in *Ṭabaqāt al-Shāfi'iyya al-Kubrā* by al-Subkī, and in *Ṭabaqāt al-Ḥanābila* by Ibn Rajab, and *Ṭabaqāt al-Mālikiyya* by

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[21] See Ibn 'Imād's *Shadharāt al-Dhahab*, Vol. 1, p. 148.

Burhānuddīn al-Madanī, and *Ṭabaqāt al-Ḥanafiyya* by al-Ḥāfiẓ al-Qurashī. Not a single one of them, or their teachers or Imāms, said that it was unlawful for any *muqallid* to adhere to a specific Madhhab.

Imām al-Dhahabī, for example, spoke favorably of the *fuqahā'* who adhered to the Madhhabs of their Imāms. He praised them, and supported them in doing that as long as they did not become bigots in following the Madhhab of their Imāms in case evidence became clearly understandable to them. He said in his *Risālatu Zaghal al-'Ilm wal Ṭalab*:

> Mālikī *fuqahā'* are upon good, [they are] followers [of the Prophet ﷺ], and have great virtue if their judges and Muftīs are safe from being overly hasty regarding the shedding of blood and imputing disbelief upon others.

Then he says: "Ḥanafī *fuqahā'* are meticulous, intelligent, and have great opinions if they are safe from finding loopholes in usury or *zakāt*." Then he says:

> Shāfi'ī *fuqahā'* are some of the best and most knowledgeable of people. Theirs is a Madhhab based upon rigorously authentic Ḥadīths. Their Imām is one of the top Ḥadīth narrators, and has many great traits. If you wish to follow his Madhhab to worship Allah ﷻ and banish ignorance from your life, then you will be alright.

He said of the Ḥanbalīs:

> They have useful knowledge and religion in general. They are less fortunate in this world. People speak of their beliefs, and accuse them of anthropomorphism and that their beliefs necessitate it, but they are innocent of that

> except for a few of them, may Allah ﷻ forgive them.[22]

All those scholars who follow the Madhhabs prohibit abominable bigotry, and the belief that one's Madhhab is better than all others. He said:

> Do not think that your Madhhab is the best one and the most favored by Allah ﷻ because you have no proof of that, nor does the one who follows a Madhhab other than yours. All of the Imāms are of great virtue, and they will be rewarded twice for being right, and once for being wrong.[23]

So, consider that my fair-minded brother! Those were the words of the great Ḥāfiẓ, Shamsuddīn al-Dhahabī, the student of Imām Ibn Taymiyya, praising the *fuqahā'* of the four Madhhabs, and encouraging others to draw from their well of knowledge, and warning people to be just, rather than being misled into the bigotry of believing in the position of the Imām at the expense of clear, unambiguous, and readily understandable evidence.

Those were the ranks of the well-known among Shāfi'īs, Mālikīs, Ḥanafīs, and Ḥanbalīs, and that was the reality back in the days of the Companions and those who came after them, as I have explained. All that speaks volumes of the consensus that a *muqallid's* adherence to a specific Imām does no harm, nor is it a misdeed, as long as the *muqallid* does not believe that he has to adhere to that specific Imām only. This is what is censured by us, and this is what is censured by all Muslims.[24]

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[22] Al-Dhahabī, *Risālatu Zaghal al-'Ilm wal Ṭalab*, p. 14-16.
[23] Ibid.

[24] Does all that we mention not indicate that some of the Companions, Successors, and those who came even after them followed a specific

What does *Taqlīd* of an Imām and adherence to his Madhhab mean? When we explain what every fair-minded Muslim knows,

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Imām or Madhhab? Does it not indicate that adhering to a specific Madhhab is lawful and nothing barring it has been proven? The fact that the Companions and their followers did themselves adhere to specific Madhhabs proves the lawfulness rather than the unlawfulness of doing so. Is it not a *bid'ah*, after saying all of that, to declare adherence to a specific Madhhab or Imām unlawful? We asked Shaykh Nāṣir if he read this discussion, and he answered: "Yes, Allah Willing". We do not know if this 'Allah Willing' was to comment or for the mere sake of blessings. He read the discussion 'Allah Willing', but the exclusiveness given to 'Aṭā' bin Abī Rabāḥ and Mujāhid's *fatwās* in Mecca escaped his attention. This exclusivity indicates there was a consensus in terms of the legality of adhering to a specific Imām, and that declaring such adherence to be unlawful would be a *bid'ah*, and a contradiction to what Allah ﷻ has permitted. He read the discussion 'Allah Willing' but did not find in the adherence of the people in Iraq to the Madhhab of Opinion represented by Abdullāh bin Mas'ūd, and his students after him, any evidence for the unlawfulness of such adherence, and the impermissibility to declare it unlawful. Nor did he find any evidence for the validity of this adherence in the case of the people of the Ḥijāz and their adherence to the Madhhab of Abdullāh bin 'Umar, his students, and his companions after him. He read the discussion but did not find any support for the absolute consensus in regards to the millions of people adhering to the four Madhhabs of the Imāms, which indicates that such adherence by a Muslim is neither prohibited, nor discouraged, nor was it a *bid'ah*. It is obvious that, after pretending to ignore all these evidences, calling for the unlawfulness of adherence to a specific Madhhab is an unfounded *bid'ah*. Based on that, we can say that *lā madhhabiyya* is the most dangerous *bid'ah* threatening the Islamic Sharī'ah, especially in our times, when many people have been victims to their very own selfish desires.

that anyone who cannot attain the level of *ijtihād* has to follow a *mujtahid* Imām whether he adheres to him in particular or he does not, we have to explain what we mean by the necessity to follow an Imām or his Madhhab. Is it a matter of adhering to a Madhhab based on the personality of the Imām or a specific characteristic in that Madhhab?

I seek refuge in Allah if any Muslim has ever said that. Far from it, Muslims have always known, since the days of the Prophet ﷺ, that Allah's Sharī'ah is the only one ruling over people. It is the only beacon for them, and the foundation for their conduct. But it has been Allah's wisdom in creation that not all people were created equal in terms of knowledge in general, and knowledge in Islamic Sharī'ah rulings in particular. Therefore, Allah ﷻ has willed that the less knowledgeable rely upon the more knowledgeable, and that the less knowledgeable be led by the more knowledgeable, so that everybody can meet on the righteous straight path of Allah ﷻ.

This truth stands even when we consider how we follow the Prophet ﷺ. We do not follow him because of his personality, but we do because he is the Messenger with a Message from Allah ﷻ. That is why we cannot say that the Sunnah has priority over the Holy Qur'ān, because the Holy Qur'ān, being the words of Allah, is of a higher priority than the words of a human being whoever he may be. Therefore, our following of the Prophet ﷺ is merely because he is the one relaying the message of Allah ﷻ. So the task of the *mujtahid* Imāms in explaining the Sunnah of the Prophet ﷺ and in trying to understand the meanings intended in his words, is similar to the task of the Prophet ﷺ in relaying the message of Allah ﷻ and explaining what was revealed to him in the Holy Qur'ān.

Imām al-Shāṭibī has done a great job in expressing this. He said in his book, *al-I'tiṣām* (Vol. 3, p. 250):

> When a person knowledgeable in Sharī'ah is followed, and is followed by people in his rulings, it is because of his knowledge in that ruling that he has been followed, not for any other consideration. He, in fact, is relaying the Message of the Prophet who is relaying the Message of Allah ﷻ. So he receives from the Prophet's Message what he could or what he thought he could. His ruling was not because he was assigned that position of responsibility to judge, because none of that could be proven, save in the case of the Prophet ﷺ himself, who, from among all creations, was Divinely protected from error.

Then he said that,

> The person who is legally accountable to follow the Sharī'ah rulings is not exempt from one of the following three scenarios:
>
> **First:** He is either a *mujtahid* in a ruling in which case he has to follow the finding of his *ijtihād*, ...
>
> **Second:** He is an absolute *muqallid* who has no knowledge in general and therefore needs someone to lead him, a ruler to give him a ruling, and a scholar whom he should follow. It is well-known that he should follow someone based on the knowledge that he possesses in regards to that ruling. If it is proven that this person is not qualified in that knowledge, then following him or his ruling is not sanctioned.
>
> No layman, nor any other person, is supposed to follow someone knowing that he is not qualified in that matter, in the same way that no sick person is supposed to surrender himself to someone he knows is not a physician, unless of course he has lost his mind. So when someone follows a

> Muftī it is because of the knowledge that Muftī possesses, not because he is so and so. This is a matter undisputed based on reason and the Sharī'ah.
>
> **Third:** He has not attained the level of *ijtihād* but can understand the evidence and locate it. And his understanding is sufficient enough to choose a preponderantly correct view based on the acceptable tools for doing so, such as actualizing the objectives and its likes – in this case, his preponderant choice or investigation is either given consideration or it is not. If we count it and give it consideration, then he is like the *mujtahid* from that angle, and the *mujtahid* only follows the decisive knowledge after investigating it – just as those that resemble him are. If we do not count him or consider him, then it is a must that he returns to the rank of a layman, and the layman only follows the *mujtahid* due to his focus on decisive knowledge – and similar to him is the one in his position.

So if you knew that, dear reader, with a knowledge free of any bigotry, would you not realise how terrible and ugly the ignorance of the author of the *Kurrās* is when he says: "Where did all these Madhhabs come from, and why were they forced upon Mulims?" Then he starts using foul language describing those who follow Madhhabs and adhere to them!

He, obviously, is not aware of what every historian in Islamic Sharī'ah knows regarding the origins of the Madhhabs and the source from which they flowed, as we have indicated in parts of this research.

He lays the blame on the laymen claiming that following the Madhhabs was tantamount to giving them preference over the Madhhab of our Prophet Muḥammad ﷺ. This trick has worked

on many laymen who do not know the meaning of *ijtihād* or *taqlīd*, or the origins of these Madhhabs. This trick has penetrated their minds, and one of them would say: 'Truly brother, are we the followers of the Prophet ﷺ or al-Shāfi'ī? How can those Madhhabs size up to that of our Prophet?'

Is this not a trick anyone with some knowledge, fairness, or sincerity in faith, should rise above? Does the author of the *Kurrās* really not know the true meaning of *ittibā'* of a Madhhab, although many scholars have explained it in hundreds of books and references? It has been historically established in hundreds of such books and references, obviating the need to say that the author of the *Kurrās* was excused by reason of ignorance when he tells laymen these strange things.

If he is ignorant of this unambiguous fact, yet he is propounding this dangerous claim, then this is regrettably unfortunate as well as heinous. But if he is ignoring this fact to allow himself and his *bid'ah* to get into the minds of people, then this is worse and more heinous than that.

When is it obligatory to desist from the *Taqlīd* of an Imām or his Madhhab?

There are two scenarios in which a *muqallid*, whoever he may be, should cease from *ittibā'* or *taqlīd* of his Imām:

First Scenario: If he attains, in a certain matter, a well-rounded level in understanding all of its evidences, and the knowledge as to how he can go about inferring a ruling from these evidences, then he is to follow, in that particular matter, the findings of his *ijtihād*. He is not to discredit his own scholarly ability by continuing to follow his Imām in it. If his scholarly ability can work in other matters as well, then the same rule applies.

Second Scenario: If he encounters a Ḥadīth that is inconsistent with the position of the Imām he follows, and he ascertains the authenticity of that Ḥadīth and its relevance to the ruling, then he is to follow the evidence in the Ḥadīth and should abstain from following the Madhhab of his Imām in that particular matter. The four Imāms unanimously recommended that their students give preference to the evidence of the Ḥadīth if such evidence was inconsistent with their *ijtihād*. Preference given to Ḥadīth, in fact, is the very essence of the Madhhabs of the four Imāms. It was commonly agreed upon among them, and they would condemn anyone who did otherwise.

However, there are conditions attached to that which we should be aware of. Not every Ḥadīth he encounters and may think is inconsistent with the *ijtihād* of his Imām, does in fact indicate what he has understood from it.

Here is what Imām al-Nawawī said in that regard in his book, *al-Majmū'*:

> ... What al-Shāfi'ī said does not mean that every time someone encounters an authentic Ḥadīth he should say that this is the Madhhab of al-Shāfi'ī, and follow the apparent meaning of it. This is restricted to those who have attained the level of *ijtihād* in the Madhhab, and is contingent on the preponderance that al-Shāfi'ī might not have been aware of that Ḥadīth or its authenticity. This is possible only after reading all of al-Shāfi'īs books and others who had drawn from him. This is a difficult condition, and rare are those who can meet it. This condition has been attached because al-Shāfi'ī has abandoned acting according to the apparent meaning of many Ḥadīths that he saw and knew, however there was proof sufficient enough for him to criticize them, declare

them abrogated, restricted, interpreted or its likes.[25]

For an Imām to abandon following a superficially apparent meaning in a certain Ḥadīth could have many *ijtihādī* considerations. Ibn Taymiyya listed ten reasons for doing that, to which he added another reason for an Imām's abandoning of following a Ḥadīth for a reason which we may not be aware of because knowledge is vast.[26]

If we look for the reason why an Imām had abandoned following an apparent meaning in a Ḥadīth, and the reason is none of those ten listed by Ibn Taymiyya, then we should not abandon the evidence we have come up with based on the argument that the Imām might have had an excuse we were not aware of, or he might have had a reason he did not mention because the odds of a scholar making an error are more likely than the odds of *shar'ī* evidences being in error after knowledge, scrutiny, and understanding in them have been attained.[27]

These are the proofs for the legal validity of *taqlīd* in the case of those who fall short of being *mujtahids*, and these are the evidences for the permissibility of a *muqallid's* adherence to a specific Madhhab. We have detailed them so that they could be unambiguous. If you are, dear reader, fair-minded, and free from bigotry or giving victory to your ego, you would realise that what I have told you is the truth.

But if you are driven by bigotry, and desires, then all that I have said amounts to nothing but meaningless words. Little comfort would you find in my words that would cure your bigotry or

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[25] Al-Nawawī, *al-Majmū'*, Vol. 1, p. 64.

[26] Ibn Taymiyya, *Raf' al-Malām 'an al-A'imma al-A'lām*, p. 31.

[27] Ibid.

desires. The only cure then would be that I would pray to Allah that He save us all from desires of the self and misguidance of passions, and that He grant us the bliss of sincerity in faith to His religion, and soundness of mind to understand His Sharī'ah.

What would happen if everybody roamed freely in the wilderness of *lā madhhabiyya*?

After the proofs we have presented, we wonder: What if we were to put aside all these proofs, and out of *ijtihād* from us, were to invite everybody to break away from the shackles of Madhhabs and roam freely in the wilderness of *ijtihād*?

In answer to that, I would say: What would happen if we were to invite people to abstain from depending on architects in their building projects, or on physicians in health related matters. What would happen if we ask people to abstain from seeking the expertise of professionals in their trades? What would truly happen if we asked everybody to abstain from using these professionals, and instead asked them to use *ijtihād* and their personal convictions? What would happen if people accepted our invitation, and did what we asked them to do?

The outcome of that would be destructive chaos in architecture, farming, and health. People would resort to destroying their houses while trying to build them, and would wind up killing themselves in the name of medicine. They would drive themselves to poverty and loss in the name of labor and industry. That is because they used *ijtihād* in places where it does not belong, and have applied it in cases that are not suitable, and have ignored Allah's wisdom in creating people interdependent upon one another in terms of cooperation, support, knowledge, and guidance.

This is a fact known by everyone. Even children know it. Even the proponents of *lā madhhabiyya* are aware of it, but why is it that those people (the proponents of *lā madhhabiyya*) do not understand that this same rule applies in the area of religious disciplines and the rulings of *ḥalāl* and *ḥarām* (the lawful and the unlawful)? We know not!

The outcome of people exercising *ijtihād* in the domains of those worldly specializations is the same as the outcome of exercising *ijtihād* in religious disciplines and rulings of *ḥalāl* and *ḥarām*.

Today we have an accomplished *fiqh* pertaining to the livelihood of people as individuals and communities. It has been carefully derived and authenticated by *mujtahid* Imāms and scholars. It is standing in front of us telling us: Nothing stands between you and this *fiqh* except that you need to apply it in your civil, criminal, and other cases, formulating it in the manner you see fit!

If we are to expose this rich *fiqh* heritage to the violent winds of general *ijtihād* for all Muslims, it would meet the destiny of straws scattered by the wind. We will look around and find that our *fiqh* edifice has crumbled, and has turned into ruins, and its debris scattered here and there. An outcome only a strange and arrogant person would accept.

Today, a Muslim has easy access to understanding the rulings pertinent to his prayer, fasting, *zakāt*, and all other matters in his personal life as far as religion is concerned. He can have that access through the study of a booklet of one of these four Madhhabs which summarizes for him all the Sharī'ah rulings. He does not have to understand their evidence as long as he is not a *mujtahid*, as was the case of those who sought *fatwās* from among the learned of Companions and those who came after

them.

If you assign the task of *ijtihād* to every Muslim, and ask him to scrutinize the evidence in these books from which he could learn the rulings of *ḥalāl* and *ḥarām* by following one of the Imāms, then that means you are frankly telling him: Allah's ruling in any matter you may encounter is the outcome of your own personal conviction.[28]

Wait, for then you will find that the Islamic Sharī'ah has become a meaningless name, and a title without a topic. It turns into a place just like Juḥā's cemetery, where on one wall there is a chained gate, but all around it there is no fence, and lions and wolves roam freely in it.

However, if you give the Muslim a new set of books by other *mujtahids*, having convinced him to abstain from the books of the four Imāms, and have commanded him to follow these new books instead, all you have done is that you have forced him to change from following al-Shāfi'ī, Abī Ḥanīfa, Mālik, or Aḥmad, to following so and so from among the contemporaries. This coercion only means one thing, and that is hatred and resentment toward the four Imāms and their followers. It is bigotry and a prejudice for the sake of promoting the *ijtihād* of so and so.

I once asked a student who was praying next to me as to why he kept moving his index finger during the *shahāda*. He answered: "Because it is a Sunnah reported from the Prophet ﷺ." I asked him about the Ḥadīth in regards to that matter and the strength of its authenticity. The young man answered: "I do not know,

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[28] One of the most notable proponents of *lā madhhabiyya* describes the books which contain the *ijtihād* of the four Imāms as rusty!

but I will ask so and so."

If he told me, since he was ignorant of the evidence, that he was following Imām Mālik in that, he would have felt comfortable, as would have I. He would also have fulfilled his duty.

So the only thing this kind of person has done is leave off following one of the four Imams, to follow someone else. Even if this person were to follow this other person his whole life, the proponents of *lā madhabiyya* would not say to him that what he is doing is forbidden – while they would say that to those that follow one of the four Madhhabs. Is this not bigotry in its ugliest form?[29]

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[29] It would not bother us if those *lā madhhabīs* had their own *ijtihāds* in Sharī'ah rulings that did not agree with many Imāms, or agreed with some. It would not bother us because it would mean that they had done research, and had exerted an effort in some *fiqh* matters which made them capable, or a least they thought they were capable, of *ijtihād* in those matters.

We may find an opinion that does not agree with theirs, or we may prefer the opinion of the majority of scholars over theirs, or we may question their aptitude for *ijtihād*. All of that would be done in a quiet and brotherly discussion. And we would not find their position that calls for leaning directly on the Qur'ān and the Sunnah to be the reason for stirring up any differences or making noise. Indeed, we do not care for the fact that someone may prefer to move his finger during *shahāda* in prayer, nor do we care for the fact that someone may prefer to pray eight *raka'āt* for *tarāwīḥ*. There were some Imāms and *fuqahā'* who held that position. It is not a *bid'ah* in Islamic history for some to claim that they were *mujtahids*, and they chose for themselves Madhhabs in some *fiqh* matters when, in fact, they were not qualified for *ijtihād*.

But what we care for and condemn is when those people use their opinions as sharp weapons to fight the Imāms of the Madhhabs with. They use such weapons to sever the strong links between the Imāms and the Muslims, and create *fitna* (sowing the seeds of discord) among Muslims in Mosques and neighborhoods on many occasions just like most of them do now. They have forsaken the path of Da'wah (inviting people into the folds of Islam) to Allah Almighty and His religion, and have ignored all the misguided, and suspicious crooks. Instead, they decided to confront any religious person who disagrees with them, or insists on adhering to one of the four Imāms, or confesses his lack of ability to exercise *ijtihād*, and his need to exercise *taqlīd*. They get with him into endless arguments, and end up causing unjustifiable rancor, accusing him of misguidance, and ascribing ignorance to Imāms, including describing their books as misleading and rusty!!

If someone holds *dhikr* beads, by which they keep count of their daily regimen of *dhikr*, they call him ignorant and start accusing him of misguidance and *bid'ah*. If a Muezzin, after calling for the prayer, says "Peace be upon the Prophet" out loud, they accuse him of *shirk*, and warn him against doing that again. If people choose to pray twenty *raka'āt* for *tarāwīḥ*, they throw a tantrum in the Mosque, and start yelling profanities at others. I still recall a Ramaḍān night when I was visited, after dinner, by over 15 laymen. They looked and sounded like they had an argument right before they came to me. They asked me to stop a boisterous *fitna* (discord) that had erupted in their Mosque because of someone among them who declared it illegal for them to pray more than eight *raka'āt* for *tarāwīḥ*, and when he insisted on that, a *fitna* broke out in the Mosque turning the House of Allah Almighty, into a wrestling arena for the sake of Satan. Why do those people not pray *tarāwīḥ* the way they want, and let us pray it as we like, be it out of *taqlīd* or *ijtihād* on our part? Is it not their main concern to give the impression that they understand Sharī'ah rulings from the Holy Qur'ān and the Sunnah without adherence to any specific Madhhab of

the *mujtahid* Imāms? We let them have it their way. Let them establish their own lofty Madhhab next to the Madhhab of the four Imāms, and they can base it on ten issues related to worship, and go about such issues as they wish, and can distance themselves from the *fiqh* and *ijtihād* of the Imāms as they like. What is the point of harassing people, and calling them ignorant, and misguided? What is the point of deriding and ridiculing the four Imāms of Madhhabs, their books, their *ijtihāds*, and their *muqallids*? What is the point of wasting time hunting for what they call Abū Ḥanīfa's lapses? What is the point of taking front seats in assemblies jabbing at al-Shāfi'ī, and making fun of his *fiqh* because of his *fatwā* on the permissibility of a man marrying a daughter born out of wedlock. If any of them were to read al-Shāfi'ī's words in his book *al-Umm* (The Mother) in regards to that, they would be lost in the labyrinth of their own ignorance.

Someone like Shaykh Nāṣir might say: 'Far from it, we do not discredit the Imāms, nor do we lash out our verbal assaults on them.' Indeed, he might say that in some assemblies, but in reality his actions contradict his words. He who respects the four Imāms and the services rendered by them to clarify the rulings of Islamic Sharī'ah, deducing them from the Holy Qur'ān and the Sunnah, would not make mention of 'Īsā ﷺ in the course of discussing a Ḥadīth saying: "This clearly indicates that 'Īsā ﷺ shall rule according to our Sharī'ah, and shall follow the Holy Qur'ān and the Sunnah instead of the Bible or Ḥanafī *fiqh* or something like that!" Imagine! "...instead of the Bible or Ḥanafī *fiqh* or something like that!" This man believes that Ḥanafī *fiqh* is like the Bible, bearing no affinity to Islamic Sharī'ah, the Holy Qur'ān, or the Sunnah. Is there any Muslim out there who fears Allah Almighy, and seeks to know the truth, and yet does not know that Ḥanafī *fiqh* is no more than rules deduced from the Holy Qur'ān, the Sunnah, and analogy and *is* based upon such sources? Is any Muslim out there not aware of the fact that Abū Hanīfa attained closeness to Allah Almighty, for clarifying the rulings in His Holy Book, and the Sunnah of His Prophet ﷺ, rather than attaining closeness to Satan for

What fair-minded person would justify discarding the proofs we

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inventing a new *fiqh* side by side with the Bible in which he would contradict the Holy Qur'ān, irrespective of whether or not he made errors in his *ijtihād*? Furthermore who is it that says that 'Īsā ﷷ will be less capable than Shaykh Nāṣir in his knowledge of the Holy Qur'ān and the Sunnah, and *ijtihād*, thereby having to exercise *taqlīd* in matters of *shar'ī* rulings, and thereby choose Abū Ḥanīfa from among the four Imāms? Did any followers of the Ḥanafī Madhhab ever say that? Well ... someone, who is bizarre enough, could come up with such nonsense, but the proper scholarly behavior to follow in this case, is for Shaykh Nāṣir to mention the name of such a person, and the title of the book, and the location of his words. He may then answer such a person in a scholarly manner saying that 'Īsā ﷷ, son of Maryam, would be capable of taking rulings directly from the Holy Qur'ān and the Sunnah, without having to exercise *taqlīd*. This is the least that can be said about the Messenger of Allah, 'Īsā ﷷ. It is unscholarly and un-Islamic on the part of Shaykh Nāṣir to exploit the opportunity of answering such, to jab at the *fiqh* of Imām Abū Hanifa, alleging that it is, just like the Bible, unrelated to the Islamic Sharī'ah.

You may think, dear Muslim reader, this to be exaggerated coming from any Muslim! But, I do ask that you refer to the book *Mukhtaṣar Ṣaḥīḥ Muslim* by al-Mundhirī, and read the comment written by Shaykh Nāṣir on page 308. As for the publisher of the book, we heard that he had been alerted by a known scholar to this bizarre nonsense. He asked the publisher to delete it from the second edition which is about to be released. We do not know if the publisher will choose to be honest in relaying the nonsense Shaykh Nāṣir has written for the sake of honesty, or if he would prefer to be honest in preserving Allah's Sharī'ah and the truth known by all Muslims even if that means sacrificing in the process a few lines written by Shaykh Nāṣir? We do not know the answer, but we will find out and be able to comment when the second edition is released.

have mentioned showing that if a Muslim falls short of *ijtihād*, it is necessary to follow one of the *mujtahid* Imāms? What is the point of inviting everybody to exercise *ijtihād* even though they may not be qualified for it? What is the purpose of telling everyone to abstain from following the *mujtahid* Imāms, although millions of Muslims have done so? What is the point of asking Muslims to extract rulings of *ḥalāl* and *ḥarām* direcly from the Holy Qur'ān and the Sunnah as they understand them, and as they imagine, even if by doing so they would wind up tearing apart Allah's Sharī'ah by their various illusions?

What person is unaware of the fact that having the gate of *ijtihād* wide open for everybody, irrespective of their level of intelligence, would in effect enable the ill-intentioned people lurking around to attack the Islamic Sharī'ah and shred it to pieces with the knife of *ijtihād*?

Does any intellectual in the Arab world with [even] a little knowledge of our recent history not know the deceitful methods by which England, after its occupation of Egypt, managed to infiltrate the Islamic Sharī'ah, and tamper with it as it wished?

According to Lord Cromer's view, the Islamic Sharī'ah was backward, stagnant, and not conclusive to development. He was looking for an easy way to make the Egyptian society break away from this chain. His crafty way was to promote the idea of *ijtihād* among those who believed in the advancement of modern European society. Such people were assigned sensitive religious positions. Some were made Muftīs, and others were assigned to the administration of al-Azhar. Those who had faith in European society, and its values, started encouraging the Shaykhs of al-Azhar and its scholars to exercise *ijtihād* outside its allowed domains. This had reached the point to where Shaykh al-Marāghī removed the stipulation that a *mujtahid*

need to know Arabic.

Britain's puppets started exercising *ijtihād* in Islamic Sharī'ah resulting in changes to the civil laws whereby polygamy was restricted, as were the rights to divorce. They promulgated laws giving equal rights to men and women in inheritance. Many *fatwās* also came out condemning the *ḥijāb*, and allowing a percentage of interest for banks. Such people were described as being open-minded, flexible and more in tune with the spirit of Islam.[30]

What is the lesson that can be of any use to us in this strange situation? What is the justification for destroying our great *ijtihādī* edifice that had been erected by the hands of great and sincere *mujtahid* Imāms who merited the consensus throughout the ages, only to have the gates of *ijtihād* wide open, while discouraging adherence to the four Madhhabs? The epidemic that infiltrated the gate of *ijtihād* yesterday is still around today. The hands getting ready to shred Islamic rulings with the knife of *ijtihād* today outnumber those that were around yesterday.

Why do you (proponents of *lā madhhabiyya*) not let Muslims go about their business following their Imāms who, throughout the ages, have deserved following? I invite you instead to exercise your *ijtihād* in something useful such as coming up with rulings in regards to modern problems that were nonexistent before, nor were dealt with by the Imāms during their times. If you were to do that, we would certainly wish you luck, and pray that Allah ﷻ may grant you wisdom. But, nay, you brush aside all that is new and in need of an *ijtihād* and ruling since no

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[30] See *al-Ittijahāt al-Waṭaniyya fīl Adab al-Mu'āṣir*, Vol. 2, p. 298. Also see *Mawqif al-'Aql wal 'Ilm wal-'Ālam min Rabb al-'Ālamīn*, Vol. 4, p. 350 ff.

previous Imām had spoken about it! Why not exercise *ijtihād* in things such as life insurance, insurance on commodity, kinds of companies limited and incorporated, social insurance that is common nowadays, compensations for contracts, and all kinds of transactions such as those of real estate owners and renters...etc?! You brush all that aside only to deride the *ijtihād* of the four Imāms, and to warn others not to follow them.

Indeed, I have yet to see one of those *lā madhhabīs* deal with one of these modern and urgent matters, and the rulings they entail which laymen often wonder about. Instead, they focus their efforts on destroying what has already been established in terms of rulings in regards to which both *muqallids* and *mujtahids* are excused in front of Allah ﷻ since they have fulfilled their obligation toward Him.

I say to you (proponents of *lā madhhabiyya*): Leave intact the rules that have already been established and written down by the elite from amongst the Muslim Imāms. Leave those rules that have been accepted by Muslims generation after generation, and roll your sleeves up for *ijtihād* in modern and urgent matters which none of the previous Imāms talked about or investigated – those urgent matters in which many Muslims lack the knowledge in regard to what Allah's ruling is. If your *ijtihād* yields rulings in these matters, and you have based such rulings on the Holy Qur'ān and the Sunnah, and if you show the method of inference to apply in these rulings, then we would gladly surrender the necks of the four Imāms to you. We would have no problem letting you replace their *ijtihād* with yours, nor would we have a problem inviting people to follow you.

Summary of a Debate between myself and some *Lā Madhhabīs*

This chapter may surpass all other chapters in terms of importance! This is not due to any novel scholarly criteria or points because we have already gone over plenty of them. The real reason behind its importance is that the reader will witness a type of bigotry he may not be familiar with! Those people accuse us of bigotry because we do not want to stray from the right path which is based upon thousands of sound evidences. However, dear reader, you will find that those who accuse us of bigotry are the ones who trap themselves within cages of amazing bigotry, even if it requires them to turn themselves into lame-ducks or lunatics.

I am not trying to fabricate anything that someone did not say, nor will I add one single word from the world of illusion and imagination. I told the brother who I was debating with, while he was saying all this amazing nonsense, that I was going to publish whatever he was saying whether he liked it or not. By saying that, Allah ﷻ knows that my intention was nothing else other than trying to alert him and enjoin him to be careful in anything he would say. The man answered: "Publish whatever you want to publish, I am not afraid."

I will not reveal the identity of this man, but it should suffice to know that he is not merely a follower of *lā madhhabiyya*, but he is also a teacher of it. In spite of that, he is a virtuous young man. If only he did not let himself be duped by this pollutant afflicting the brain and the intellect, and tossing him into the abyss of amazing bigotry!

Some other good-hearted, well-intentioned young men came along. Their goal was the quest for the truth from all sides in the matter. I started by asking him:

"What is your method for understanding the rulings of Allah? Do you take them from the Qur'ān and Sunnah, or from the Imāms of *ijtihād*?"

He said: "I examine the positions of the Imāms and their evidences for them, and then take the closest of them to the evidence of the Qur'ān and Sunnah."

I said: "Suppose you have five thousand Syrian pounds that you have saved for six months. You then buy merchandise and begin trading with it. When do you pay *zakāt* on the merchandise, after six months, or after one year?"

[He thought, and said:] "Your question implies you believe *zakāt* should be paid on business capital."

I said: "I am just asking. You should answer in your own way. Here in front of you is a library containing books of Qur'ānic exegesis, Ḥadīth, and the works of the *mujtahid* Imāms."

[He reflected for a moment, and then said:] "Brother, this is *dīn*, and not a simple matter. One could answer from the top of one's head, but it would require thought, research, and study; all of which take time. And we have come to discuss something else."

I dropped the question and said: "All right. Is it obligatory for every Muslim to examine the evidences for the positions of the Imāms, and adopt the closest of them to the Qur'ān and Sunnah?"

He said: "Yes."

I said: "This means that all people possess the same capacity for *ijtihād* that the Imāms of the Madhhabs have; or even greater, since without a doubt, anyone who can judge the positions of the Imāms and evaluate them according to the measure of the Qur'ān and Sunnah must know more than all of them."

He said, "In reality, people are of three categories: the *muqallid* or 'follower of qualified scholarship without knowing the primary textual evidence (of Qur'ān and Ḥadīth)'; the *muttabi'*, or 'follower of primary textual evidence'; and the *mujtahid*, or scholar who can deduce rulings directly from the primary textual evidence (*ijtihād*). He who compares between Madhhabs and chooses the closest of them to the Qur'ān is a *muttabi'*, a follower of primary textual evidence, which is an intermediate degree between following scholarship (*taqlīd*) and deducing rulings from primary texts (*ijtihād*)."

I said: "Then what is the follower of scholarship (*muqallid*) obliged to do?"

He said: "To follow the *mujtahid* he agrees with."

I said: "Is there any difficulty in his following one of them, adhering to him, and not changing?"

He said: "Yes there is. It is unlawful (*ḥarām*)."

I said: "What is the proof that it is unlawful?"

He said: "The proof is that he is making it obligatory upon himself to do something Allah ﷻ has not obligated him to."

I said, "Which of the seven canonical readings (*qira'at*) do you recite the Qur'ān in?"

He said: "That of Ḥafṣ."

I said: "Do you recite only in it, or in a different canonical reading each day."

He said: "No, I recite only in it."

I said: "Why do you read only in it when Allah ﷻ has not obliged you to do anything except to recite the Qur'ān as it has been conveyed – with the total certainty of *tawātur* (being conveyed by witnesses so numerous at every stage of transmission that their sheer numbers obviate the possibility of forgery or alteration), from the Prophet ﷺ?"

He said: "Because I have not had the opportunity to study other canonical readings, or recite the Qur'ān except in this way."

I said: "But the individual who learns the *fiqh* of the Shāfi'ī school – he too has not been able to study other Madhhabs or had the opportunity to understand the rules of his religion except from this Imām. So if you say that he must know all the *ijtihāds* of the Imāms so as to go by all of them, it follows that you too must learn all the canonical readings so as to recite in all of them. And if you excuse yourself because you cannot, you should excuse him also. In any case, what I say is: where did you gather that it is obligatory for a follower of scholarship (*muqallid*) to keep changing from one Madhhab to another, when Allah has not obliged him to? That is, just as he is not obliged to adhere to a particular Madhhab, neither is he obliged to keep changing."

He said: "What is unlawful for him is adhering to one while believing that Allah has commanded him to do so."

I said: "That is something else, and is true without a doubt and without any disagreement among scholars. But is there any problem with his following a particular *mujtahid*, knowing that Allah has not obliged him to do that?"

He said: "There is no problem."

I said: The *Kurrās* [by al-Khajnadī] which you teach from, contradicts you. It says this is unlawful, in some places actually asserting that someone who adheres to a particular Imām and no other is a disbeliever (*kāfir*)."

He said, "Where?" [and then began looking at the *Kurrās*, considering its texts and expressions, reflecting on the words of the author:] "Whoever follows one of them in particular in all questions is a blind, imitating, mistaken bigot, and is 'among those who have divided their religion into parties' [Holy Qur'ān 30:32]."

He said, "By 'follows', he means someone who believes it is legally obligatory for him to do so. The wording is a little incomplete."

I said, "What evidence is there that that's what he meant? Why don't you just say the author was mistaken?"

He insisted that the expression was correct, that it should be understood as containing an unexpressed condition [i.e. "provided one believes it is legally obligatory"], and he exonerated the writer from any mistake in it.

I said, "But interpreted in this fashion, the expression does not address any opponent or have any significance. Not a single Muslim is unaware that following such and such a particular Imām is not legally obligatory. No Muslim does so except from his own free will and choice."

He said: "How should this be, when I hear from many common people and some scholars that it is legally obligatory to follow one particular school, and that a person may not change to another?"

I said: "Name one person from the ordinary people or scholars who said that to you."

He said nothing, and seemed surprised that what I said could be true, and kept repeating that he had thought that many people considered it unlawful to change from one Madhhab to another.

I said, "You won't find anyone today who believes this misconception, though it is related from the latter times of the Ottoman period that they considered a Ḥanafī changing from his own school to another to be an enormity. And without a doubt, if true, this was something that was complete nonsense from them; a blind, hateful bigotry."

I then said, "Where did you get this distinction between the *muqallid* "follower of scholarship" and the *muttabi'* "follower of evidence": Is there an original, lexical distinction [in the Arabic language], or is it merely terminology?"

He said: "There is a lexical difference."

I brought him lexicons with which to establish the lexical difference between the two words, and he could not find

anything. I then said: "Abū Bakr ﷺ said to a bedouin who had objected to the allotment for him agreed upon by the Muslims, 'If the Emigrants accept, you are but followers' – using the word 'followers' (*tābi'īn*) to mean 'without any prerogative to consider, question, or discuss.'"[31]

He said, "Then let it be a technical difference: don't I have a right to establish a terminological usage?"

I said: "Of course. But this term of yours does not alter the facts. This person you term a *muttabi'* (follower of scholarly evidence) will either be an expert in evidences and the means of textual deduction from them, in which case he is a *mujtahid*. Or, if not an expert or unable to deduce rulings from them, then he is *muqallid* (follower of scholarly conclusions). And if he is one of these on some questions, and the other on others, then he is a *muqallid* for some and a *mujtahid* for others. In any case, it is an either-or distinction, and the ruling for each is clear and plain."

He said, "The *muttabi'* is someone able to distinguish between scholarly positions and the evidences for them, and to judge one to be stronger than others. This is a level different to merely accepting scholarly conclusions.

"If you mean," I said, "by distinguishing between positions differentiating them according to the strength or weakness of the evidence, this is the highest level of *ijtihād*. Are you personally able to do this?"

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[31] Similar to this is the word of Allah Most High, "Then would those who are followed (*attubi'ū*) clear themselves of those who follow [them] (*attaba'ū*): They would see the penalty, and all relations between them would be cut off," [Holy Qur'ān, 2:166] which uses follow (*ittibā'*) for the most basic blind imitation.

He said: "I do so as much as I can."

"I am aware," I said, "that you give as a *fatwās* that a three fold pronouncement of divorce on a single occasion only counts as a single divorce. Did you check, before this *fatwā* of yours, the positions of the Imāms and their evidences on this, then differentiate between them, so to give the *fatwā* accordingly? Now, 'Uwaymir al-'Ajlānī pronounced a three fold divorce at one time in the presence of the Prophet ﷺ after he had made public imprecation against her for adultery (*li'ān*), saying, 'If I retain her, O Messenger of Allah, I will have lied against her: she is [hereby] thrice divorced.' What do you know about this Ḥadīth and its relation to this question, and its bearing as evidence for the position of the scholarly majority [that a threefold divorce pronounced on a single occasion is legally finalized and binding] as opposed to the position of Ibn Taymiyya [that a threefold divorce on a single occasion only counts as one]?" [32]

He said: "I did not know this Ḥadīth."

I said: "Then how could you give a *fatwā* on this question that contradicts what the four Madhhabs unanimously concur upon, without even knowing their evidence, or how strong or weak it was? Here you are, discarding the principle you say you have enjoined on yourself and mean to enjoin on us, the principle of "following scholarly evidence (*ittibā'*)" in the meaning you have terminologically adopted."

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[32] This is just one evidence out of the many explicit and authentic texts of the Sunnah stating that a triple pronouncement of divorce in one time counts as three. To see the evidence for this, see my book *Muḥāḍirāt fī Uṣūl al-Fiqh.*

He said: "At the time I didn't own enough books to review the positions of the Imāms and their evidence."

I said: "Then what made you rush into giving a *fatwā* contravening the vast majority of Muslims, when you hadn't even seen any of their evidences?"

He said: "What else could I do? I was asked and I only had a limited amount of scholarly resources."

I said: "You could have done what all scholars and Imāms have done; namely, say 'I don't know,' or told the questioner the position of both the four Madhhabs and the position of those who contravene them; without giving a *fatwā* for either side. You could have done this, or rather, this was what was obligatory for you, especially since the problem was not personally yours so as to force you to reach some solution or another. As for your giving a *fatwā* contradicting the consensus (*ijma'*) of the four Imāms without knowing – by your own admission—their evidences, sufficing yourself with the agreement in your heart for the evidences of the opposition, this is the very utmost of the bigotry you accuse us of."

He said: "I read the Imāms' opinions in [*Nayl al-Awṭār*, by] Shawkānī, *Subul al-Salām* [by al-Amīr al-Ṣan'ānī], and *Fiqh al-Sunnah* by Sayyid Sābiq."

I said: "These are the books of the opponents of the four Imāms on this question. All of them speak from one side of the question, mentioning the proofs that buttress their side. Would you be willing to judge one litigant on the basis of his words alone, and that of his witnesses and relatives?"

He said: "I see nothing blameworthy in what I have done. I was obliged to give the questioner an answer, and this was as much as I was able to reach with my understanding."

I said: "You say you are a 'follower of scholarly evidence' (*muttabi'*) and we should all be likewise. You have explained 'following evidence' as reviewing the positions of all Madhhabs, studying their evidences, and adopting the closest of them to the correct evidence — while in doing what you have done, you have discarded the principle completely. You know that the unanimous consensus of the four Madhhabs is that a threefold pronouncement of divorce on one occasion counts as a three fold, finalized divorce, and you know that they have evidences for this that you are unaware of, despite which you turn from their consensus to the opinion that your personal preference desires. Were you certain beforehand that the evidence of the four Imāms deserved to be rejected?"

He said: "No, but I wasn't aware of them, since I didn't have any reference works on them."

I said: "Then why didn't you wait? Why rush into it, when Allah never obligated you to do anything of the sort? Was your not knowing the evidences of the scholarly majority a proof that Ibn Taymiyya was right? Is the bigotry you wrongly accuse us of anything besides this?"

He said: "I read evidences in the books available to me that convinced me. Allah has not enjoined me to do more than that."

I said: "If a Muslim sees a proof for something in the books he reads, is that a sufficient reason to disregard the Madhhabs that contradict his understanding, even if he doesn't know their evidences?"

He said: "It is sufficient."

I said: "A young man, newly religious, without any Islamic education, reads the word of Allah Most High "To Allah belongs the East and the West, so wherever you turn, there is the countenance of Allah. Verily, Allah is the All-Encompassing, the All-Knowing" [Holy Qur'ān 2:115], and gathers from it that a Muslim may face any direction he wishes in his prescribed prayers, as the ostensive purport of the verse implies. But he has heard that the four Imāms unanimously concur upon the necessity of his facing towards the Ka'ba, and he knows they have evidences for it that he is unaware of. What should he do when he wants to pray? Should he follow his conviction from the evidence available to him, or follow the Imāms who unanimously concur on the contrary of what he has understood?"

He said: "He should follow his conviction."

I said: "And pray towards the east for example. And his prayer would be legally valid?"

He said: "Yes. He is morally responsible for following his personal conviction."

I said: "What if his personal conviction leads him to believe there is no harm in making love to his neighbor's wife, or to fill his belly with wine, or wrongfully take others' property; will all this be mitigated in Allah's reckoning by "personal conviction"?

[He was silent for a moment, then said:] "Anyway, the examples you ask about are all fantasies that do not occur."

I said: "They are not fantasies; for how often the like of them occurs, or even stranger. A young man without any knowledge of Islam, its Book, its Sunnah, who happens to hear or read this verse by chance, and understands from it what any Arab would from its outward purport, that there is no harm in someone praying facing any direction he wants – despite seeing people's facing towards the Ka'ba rather than any other direction. This is an ordinary matter, theoretically and practically, as long as there are those among Muslims who don't know a thing about Islam. In any event, you have pronounced upon this example – imaginary or real – a judgment that is not imaginary, and have judged "personal conviction" to be the decisive criterion in any event. This contradicts your differentiating people into three groups: followers of scholars without knowing their evidence (*muqallids*), followers of scholars' evidence (*muttabi'īn*), and *mujtahids*."

He said: "Such a person is obliged to investigate. Didn't he read any Ḥadīth, or any other Qur'ānic verse?"

I said: He didn't have any reference works available to him, just as you didn't have any when you gave your *fatwā* on the question of [threefold] divorce. And he was unable to read anything other than this verse connected with facing the *qibla* and its obligatory character. Do you still insist that he must follow his personal conviction and disregard the Imāms' consensus?"

He said: "Yes. If he is unable to evaluate and investigate further, he is excused, and it is enough for him to rely on the conclusions his evaluation and investigation lead him to."

I said: "I intend to publish these remarks as yours. They are dangerous, and strange."

He said: "Publish whatever you want. I'm not afraid."

I said: "Of course you are not, and how could you be afraid of me, when you are not afraid of Allah ﷻ, utterly discarding by these words the word of Allah ﷻ [in *Ṣūrat al-Naḥl*] 'Ask the people of the Reminder, if you know not' [Holy Qur'ān 16:43]."

"My brother," he said, "These Imāms are not Divinely protected from error (*ma'ṣūm*). As for the Qur'ānic verse that this person followed [in praying in any direction], it is the word of Him ﷻ who is protected from all error. Why should he leave that which is Divinely protected and attach himself to the tail of that which is not Divinely-protected?"

I said: "Good man, what is Divinely protected from error is the true meaning that Allah intended by saying, "To Allah belongs the East and the West" – not the understanding of the young man who is as far as can be from knowing Islam, its rulings, and the nature of its Qur'ān. That is to say, the comparison I am asking you to make is between two understandings: the understanding of this ignorant youth, and the understanding of the *mujtahid* Imāms, neither of which is Divinely protected from error, but one of which is rooted in ignorance and superficiality, and the other of which is rooted in investigation, knowledge, and accuracy."

He said: "Allah does not make him responsible for more than his effort can do."

I said: "Then answer me this question. A man has a child who suffers from some infections, and is under the care of all the doctors in town, who agree he should have a certain medicine, and warn his father against giving him penicillin, and that if he does, he will be exposing the child to mortal danger.

Now, the father knows from having read a medical publication that penicillin helps in cases of infection. So he relies on his own knowledge about it, disregards the advice of the doctors since he doesn't know the proof for what they say, and employing instead his own personal conviction, treats the child with penicillin, and thereafter the child dies. Should such a person be tried, and is he guilty of a wrong for what he did, or not?"

[He thought for a moment and then said:] "This is not the same as that."

I said: "It is exactly the same. The father has heard the unanimous judgment of the doctors, just as the young man has heard the unanimous judgment of the Imāms. One has followed a single text he read in a medical publication, the other has followed a single text he has read in the Book of Allah ﷻ. This one has gone by personal conviction, and so has that."

He said: "Brother, the Qur'ān is light. Light. In its clarity as evidence, is light like any other words?"

I said: "And the light of the Qur'ān is reflected by anyone who looks into it or recites it, such that he understands it as light, as Allah meant it? Then what is the difference between the people of the Reminder [Holy Qur'ān 16:43] and anyone else, as long as all partake of this light? Rather, the two above examples are comparable, there is no difference between them at all; you must answer me: does the person investigating – in each of the two examples – follow his personal conviction, or does he follow and imitate specialists?"

He said: "Personal conviction is the basis."

I said: "He used personal conviction, and it resulted in the death of the child. Does this entail any responsibility, moral or legal?"

He said: "It doesn't entail any responsibility at all."

I said: "Then let us end the investigation and discussion on this last remark of yours, since it closes the way to any common ground between you and me on which we can base a discussion. It is sufficient that with this bizarre answer of yours, you have departed from the consensus of the entire Islamic religion. By Allah, there exists no disgusting bigotry on the face of the earth if it is not what you people have."

According to this, an ignorant Muslim can exercise his personal conviction in understanding the Qur'ān, pray in a direction away from the *qibla* – in opposition to all of the Muslims – and his prayer is considered valid! According to this, a layman can exercise his personal conviction and practice medicine upon whoever he likes, as he likes, and if a sick person dies under his care, it can be said to him: "May Allah give you wellbeing!"

I do not know then, why these people don't just let us be, to use our own "personal conviction" that someone ignorant of the rules of religion and the proofs for them must adhere to one of the *mujtahid* Imāms, imitating him because of the latter's being more aware than himself of the Book of Allah ﷻ and Sunnah of His Messenger ﷺ. Whatever the mistake in this opinion in their view let it be given the general amnesty of 'personal conviction', like the example of him who turns his back to the *qibla* while his prayer is still valid, or him who kills a child and the killing is '*ijtihād*' and a 'medical treatment'.

Conclusion

Dear reader, if you are fair-minded, and free from bigotry in the line of thinking you have set out for yourself, and if your aim is to know the truth and its evidence, then what I have written and explained should be sufficiently clear and unambiguous, and should have helped remove any confusion you may have had.

But if you argue in favor of an idea which you are known for, an idea that is known through you, to the point that it has become part of who you are, and you cannot help but be prejudiced toward it, then all that I have written, even if I were to multiply by manifolds its clear and explicit proofs, would not be helpful to you. Your problem would not be ignorance that can be cured by knowledge, but a bigotry which can only be cured if you sincerely watch the Creator ﷻ.

Whether you are of the first type or the second, I have to warn you that in every group of people that promote a certain idea, there are people in their ranks who have nothing to do with the idea itself in terms of faith in it or lack thereof, but their sole task is to sow discord between this group and others. They pretend to be enthusiastic about the original idea and its essence, but as I said their task is to widen the gap of differences, and turn it into an enmity, thereby banishing chances of being reasonable, and being able to contain such enmity with any amount of effort exerted.

This is a tangible reality which no one with any common sense can deny, so what are the means by which we can overcome this deception, and how do we distance topics of research and differences away from the abyss of enmity and division?

The only way we can do that is through resorting to the criterion of objectivity in research, and through applying judgments based on clear scholarly evidence free from any ill-intention, inclination, or prejudice. Only then will the differences start to disappear gradually. Only then will the miscreants be unable to drive a wedge among people, pitting them against one another, and leading some of them to the abyss of hatred and resentment.

I have provided in this treatise everything the mind needs to know about the truth in the matter. It has become clear to you by now, how the author of the *Kurrās* has provided quotes that were incorrect and inconsistent with the truth. You have seen how the words of those quoted by the author of the *Kurrās* completely contradict his claim, and you have seen the consensus of Muslims since the days of the Companions until now. You must have read my words in that regard carefully and meticulously. By Allah ﷻ, no one can claim that I have misquoted or interpolated any quotes, nor have I veered off objectivity in presenting the evidence.

So come, brother Muslim, to the path trodden by the majority of Muslims throughout the ages, and stand in support for that path, and against any fanaticism. Warn people against bigotry toward Madhhabs in the manner we have presented. Emphasize for them that evidence should be the source of everything, but only if they can understand and comprehend it. Do not be stubborn, nor allow yourself to be fanatic because fanaticism is the source of every dilemma, and trouble.

Appendix: Regarding the book *'al-Ta'aṣṣub al-Madhhabiyya'*

After I finished preparing the second edition of this book, and was about to get it published, I came across a book titled *'al-Madhhabiyya al-Muta'aṣṣiba Hiya al-Bid'ah'*, purported to be [written] by Mr. Muḥammad 'Īd 'Abbāsī, containing a rebuttal of what was discussed in this book of mine.

I started reading it, telling the publisher to wait, hoping to find something useful I may have overlooked or some blunder I may have committed that deserves reconsideration. This way I could then rectify the shortcomings in this book, and try to remove any confusion or ambiguity.

But after reading the rebuttal which was 350 pages long, I could not find anything in it worthy of making me reconsider what I had written. I figured writing this appendix should suffice instead of wasting more time.

The discussion in this book was replete with name calling, impassioned swear words, and strange insults no other author I know of has ever used, no matter how low and crooked his style was. Although I am aware that it was written specifically against me, I ask from the reader that he look for it, and have the patience to read it fully, although by doing so I am inviting him to read the heinous insults directed at my person. However, reading such manner of debating will help shed light regarding the character of these people, sparing me the time to warn others against them.

I will distance myself from any of their insults, knowing that they have attacked some of the best and elite of our righteous ancestors with insults. Al-Ghazālī ﵀, according to them, was a

renegade from the religion, and Imām al-Bājūrī, in their judgment and their very words, was an idiot. In their opinion, Abū Ḥanīfa was ignorant except of a few Ḥadīths he had memorized, and from the most insulting of their comments was that Shaykh Muḥammad al-Ḥāmid ﷺ was following the path of the Majūsiyya, and that Allah should give him what he deserves ... and that he helped graduate some of the biggest idiots – as described by the major insulter of them.[33]

Is it not natural and expected that I should face a multitude of such insults against my knowledge, intellect, and character, since I do not size up to be a servant to the least one among such renowned scholars?!

It came as no surprise to me that their book does not start with the name of Allah ﷻ in the beginning. It is, in this sense, true to its content, revealing the extent of the authors' appreciation of the Sunnah of the Prophet ﷺ and their following in the footsteps of his guidance!!

I will summarize in the coming few pages my comments on this book, overlooking in the process all the foul expressions any proud and honorable person would overlook. I remember the advice given to me by a well-known Muslim scholar a few days ago while I was in a neighboring Arab country. He said:

> Beware of those people when they try to make you descend to their well-known level of debating. Their hearts are filled with such hatred against the majority of Muslims and their predecessors and contemporaries, that they would not hesitate to attack the very honor of those who oppose them.

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[33] He is: Maḥmūd Mahdī al-Istānbūlī

If I was to start pointing out all the fallacies, falsifications, and interpolations made in this book, I would have indeed allowed myself to descend to a level whereby I would be bringing insult against myself, and would be wasting my time. I would also have trespassed the limits of the work I had sought Allah's approval in, and would have found myself less honorable than I would have liked, to be doing things such as rejoicing at others' follies, nitpicking, and being a hypocrite which any dignified person should abstain from.

Had it not been for the necessity of warning Muslims against such people and their true intentions, so that they do not get duped by them, I would not have made any comments about this book. But it was inescapable, and part of my academic integrity and Islamic duty, to talk about this book's value.

My comments on it will focus on the following points:

1- On the cover of the book, it states that the author is Muḥammad 'Īd 'Abbāsī, yet I found out he was not the author, but he only co-authored parts of it. We know this with certainty rather than through mere guessing. He co-authored it with Shaykh Nāṣir al-Albānī, Maḥmūd Mahdī al-Istānbūlī, and Khayruddīn Wānlī. We know this because Maḥmūd Mahdī al-Istānbūlī admitted this to our friend al-Ḥājj 'Adnān Ṭabiyā in a private session with him, when the latter saw him busy preparing the book.

I hope the authors of the book will answer the following legal question, and they will be thanked if they do: What is the ruling in regards to a Muslim attributing his own words to others? What do you call such a person? Is there any acceptable legal loophole for lying in this case?

I swear that if I knew that al-Shāfi'ī had written something and attributed it to someone else or vice versa, I would have lost any faith I had in him, and would not have felt safe in taking any ruling, Ḥadīth or *ijtihād* from him. So how about that coming from no other than Shaykh Nāṣir and Maḥmūd Mahdī?

2- The authors allege that I denied the presence of an author for the *Kurrās*. They said that the author was Shaykh al-Ma'ṣūmī, and that I said one of the Salafis who chose not to reveal his name, wrote it.

Here is the exact phrasing of what I said in *al-Lā Madhhabiyya*:

> ... Someone (who chose to withhold his name) published a *Kurrās* titled: *Hal al-Muslim Mulzam bi-Ittibā' Mu'ayyan min al-Madhāhib al-Arba'a?* (Should a Muslim Follow a Particular Madhhab?). He attributed it to Muḥammad Sulṭān al-Ma'ṣūmī al-Khajnadī al-Makkī, a teacher at the Grand Mosque in Mecca.

So, I have mentioned the person who published the book and who chose not to reveal his name, and have not attributed writing it to him. This is correct and undeniable, for what does it mean when writers put words in my mouth which I have never said? What is the motive behind doing that instead of quoting words which I have written in my book? The difference in meaning between what they claimed I said, and what I truly said is far apart. What do you call such a deed and what is the ruling regarding it?

3- Under the heading: 'Our Attitudes and Opinions toward *Madhhabs*, *Ijtihād*, and *Taqlīd*', the authors talked about the prerequisites for *ijtihād* relying on what al-Ghazālī had said in *al-Mustaṣfā*. Al-Ghazālī said:

> The second fundamental condition for *ijtihād* is for one to be well-rounded in the branches of the Sharī'ah, and to be capable of exercising sound mind in investigating it. This is possible through the knowledge of the branches which yield fruitful rulings, as well as the knowledge as to how one can harvest this cognizance. All of this is made possible through the knowledge of eight sciences: The Qur'ān, the Sunnah, consensus, reason and analogy, knowledge of *uṣūl al-fiqh*, linguistics, grammar, abrogative and abrogated rules, and Ḥadīth terminology.[34]

Then the author, using al-Ghazālī's words, supports al-Ma'ṣūmī when he says:

> Doing so is quite easy and effortless. All this requires is for one to get the various books of Ḥadīth such as *al-Muwaṭṭa'*, the two *Ṣaḥīḥs*, *Sunan Abū Dāwūd*, and the collections of al-Tirmidhī and al-Nasā'ī. These books are famous, and you should get them as soon as possible. You should know this because if you do not and some of your brothers get them before you do, then you will not have an excuse.

Al-Ghazālī makes firm grounding in eight sciences a prerequisite for attaining the level of absolute *ijtihād*, but al-Ma'ṣūmī's prerequisite is to only get the books of Ḥadīth from

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[34] We know that the authors of this book do not rely upon Imām al-Ghazālī, nor do they believe that he possessed virtue and knowledge that would thereby allow them to use any of his words as an evidence. Nay, we know that the major insulter among the authors considers him to be a renegade from the religion, one that is misguided and that misguides others, and a deviant. I am so amazed how despite all of this, they can use his words as a proof and refer back to his view. I am almost certain that they are only doing this based on the adage: "The truth is what even your enemies attest to."

the bookshop. He says they are famous, and you can get them easily. Shaykh Nāṣir supports him in that, using al-Ghazālī's very words. Not only that, but Shaykh Nāṣir also says: "By that you know the mistake Dr. Būṭī made when he made fun of al-Ma'ṣūmī's words when the latter said that *ijtihād* is easy ..." etc. I wonder how one can find support for his claim in something that contradicts it!

4- Under the same title, the author denied what he and his ilk were accused of in terms of making *ijtihād* a duty for everybody. He also denied that they made *taqlīd* on part of the ignorant person unlawful (p. 15).

I say: Shaykh Nāṣir and some members of his group do say this on certain occasions, and in certain gatherings, but the reality which everyone who has been tested by them knows is quite different. They leave nobody they have authority over without removing the confidence of the four Imāms from his heart, making him feel he is one of them, capable of understanding and exercising *ijtihād* as they do. Then they ask him not to accept any Sharī'ah ruling without asking for its evidence from the Qur'ān and the Sunnah. You see their followers from among laymen and ignorant people, annoying Imāms and scholars in Mosques and streets arguing with them about al-Shāfi'ī's and Abū Ḥanīfa's *ijtihād*, insisting that they do not follow those Imāms and that their main source be the Qur'ān and the Sunnah. If you were to ask any of them to read you three verses from the Qur'ān, you would hear all kinds of broken phonetics, intonations, and errors!

Those people we are describing are no extraterrestrials from Mars, but as we said in this book, they are numerous. No neighborhood, town, or Mosque is safe from their ignorance and *ijtihād* which knows no limits.

5- On page 33, the writer holds it against us that we divided people into just two groups: a *mujtahid* and a *muqallid*, without taking into consideration a third intermediate category, namely that of a *muttabi'*.

We have established that a *muttabi'* is either a *muqallid* if he cannot attain the level of understanding the evidence, or he is a *mujtahid* if he can. The writer uses the words we quoted from al-Shāṭibī in order to prove me wrong. I want you, dear reader, to look closely at this fabrication of words and quotes, and at this deed of putting words in the mouth of Imāms which they never said. Look closely at this so that you may see the work of alteration and misquoting to make the Imāms say what they have never said. Look, so you may understand who those people truly are and what their inner selves hide. The writer uses the following quote in his accusation of me being wrong in not considering a third intermediary category:

> Al-Shāṭibī said: "The person who is legally accountable to follow the Sharī'ah rulings is not exempt from one of the following three scenarios: **First:** He is either a *mujtahid* in a ruling in which case he has to follow the finding of his *ijtihād* ... **Second:** He is an absolute *muqallid* who has no knowledge in general and therefore needs someone to lead him, a ruler to give him a ruling, and a scholar whom he should follow. ... **Third:** He has not attained the level of *ijtihād* but can understand the evidence and locate it. And his understanding is sufficient enough to choose a preponderantly correct view based on the acceptable tools for doing so, such as actualizing the objectives and its likes – in this case, his preponderant choice or investigation is either given consideration or it is not.

Here the author concludes his quote from al-Shāṭibī, and closes the bracket on it without completing the words of al-Shāṭibī in

regards to the third category. We go back to the source to page 253 volume 3 from al-Shāṭibī's book, *al-I'tiṣām*, to read the sentences left out by our honest author, and which he chose to close the bracket on without including. Here is the rest of it:

> ... If we count it, then from that angle he is like the *mujtahid* – and the *mujtahid* only follows decisive knowledge and investigation. If we do not count him (as a *mujtahid*), then it is a must that he returns to the rank of a layman. The layman is to follow the *mujtahid* due to the latter's focus on decisive knowledge. Any one similar to him is to do the same.

So what is the final status of a *muttabi'* according to al-Shāṭibī whom he quotes? As you have seen, he either joins the *mujtahid* category if he attains a *mujtahid's* rank, or else he is a layman. So it once again boils down to two categories as we have established. But the honest writer chose to leave out this paragraph which lies at the heart of what al-Shāṭibī was saying, because it was inconsistent with what he was saying. He used it in order to support his claim that I was mistaken, and make it seem as though I had seen the quote, yet did not understand it, and thereafter started to speak nonsense!

I hope that everyone who has access to al-Shāṭibī's *I'tiṣām* goes back to page 235 of volume 3 to contemplate upon it and take a lesson from it – and let him gain insight into his religion in the face of the plots of these people.

Let me ask you this, dear reader: How can a Muslim trust the Islam of someone who falsifies quotes, and changes the wording as you can see? How can a Muslim have confidence in such a person as far as the rulings of the Sharī'ah are concerned? How can a Muslim trust the words of someone who makes fun of the

words and *ijtihāds* of Imāms? How can a Muslim, whoever he may be, do that?

6- I have already shown, what has been agreed upon all along by the majority of Muslims, that *taqlīd* within its prescribed conditions is valid insofar as the *furū'* (branches) are concerned, meaning the Sharī'ah rules based on the conjectural evidence. As for creed and rulings based on absolute decisive evidences, no *taqlīd* is allowed therein. Since most rules based on the branches are conjectural in nature, it is only natural that there will be *ijtihād* therein.

However, Shaykh Nāṣir says in the book he co-authored with Maḥmūd Mahdī al-Istānbūlī and Khayruddīn Wānlī, that I have made a mistake in differentiating between 'Aqīdah (creed) and Sharī'ah insofar as *taqlīd* is concerned, and that I have made a mistake in saying that most of the rulings in the branches are based on conjectural evidence. In his opinion, both 'Aqīdah and *ijtihādī* rulings in the branches rely on the conjectural evidence such as *akhbār al-āhad* (transmission of Ḥadīths based on a single narrator instead of multiple chains) otherwise, why would the Prophet ﷺ find it sufficient to send one person to teach others maters related to their 'Aqīdah?

My answer to that is: I have not seen anything from Shaykh Nāṣir's peculiar positions stranger than this. I expected he would disagree with me in most of what my book contained but this point, which is an established fact agreed upon by all scholars and Imāms, from olden times till now, except for one person from the Mu'tazila whose name is 'Ubaydullāh bin Ḥasan al-'Anbārī!

First of all, this is a well-established fact based on common sense which no one can differ with, and can also be deduced

from the reality of the time of the Companions as we will see soon.

As for the rational evidence, it is the consensus of the intelligent that conjectural premises can only result in conjectural matters. As for the clear-cut and decisive scientific facts, they also only result from clear-cut decisive premises. A physician who has a scientific clear-cut proof that anyone who drinks a cup of poison will die in a half hour, will absolutely declare as dead whoever drank such poison and had half an hour pass by. The one that is unable to arrive at that fact save through conjecture, he is unable to do anything more than suppose that such a result shall occur.

This is a fact no one differs with, and based on that, we say, conjectural evidence such as *akhbār al-āhad* cannot be sufficient for a creedal foundation in which we are asked by Allah Almighty to be absolutely certain of. That is why scholars have a consensus regarding creedal beliefs that have been independently based on conjectural evidence, such as the research regarding the physical bodies on the Day of Resurrection; shall it be after the physical bodies are completely obliterated and made non-existent, or is it after its parts are disintegrated and dispersed? There is no way to establish a decisive proof for this, and for that reason, being obligated to have certainty in either of the two possibilities is being ordered with that which is beyond one's ability – thereby it is not obligatory to believe in one of those two possibilities in specific.

If this is clear and obvious, then how can Shaykh Nāṣir imagine that it is possible to establish clear cut and decisive certainty with conjectural evidence such as *akhbār al-āhad* (lone narrator reports)? Shaykh Nāṣir seeks to prove this misconception by mentioning that the Prophet ﷺ would send one person as an

emissary to teach others principles related to creed as well as rules based on the branches.

The answer, as Imām Ghazālī and others have pointed out, is that those messengers did not tell others anything related to 'Aqīdah until the people had already believed in what the emissary had conveyed and informed. Otherwise what would make people believe the Prophet's emissary when they had still not believed in the Message?!

Al-Ghazālī said in regards to that:

> ... As for the origin of the message, belief, and announcing the Prophecy, then no – none of that does (i.e. is established on *akhbār al-āhad*) – because how would the emissary of the Messenger of Allah tell others that the Prophet ﷺ had demanded they believe in him when they did not know the Message yet? After believing in the Prophet's ﷺ Message, they could listen positively to his emissaries based on his order to do so.

Furthermore, he who believes in Allah based on a conjectural lone narrator report, is not actually basing his belief on that evidence alone, but on many other rational evidences providing absolute certainty for him. Lone narrator reports only serve to reinforce those evidences. This was pointed out by the scholar al-Ījī in *al-Mawāqif* and others as well. It is impossible for any reasonable person to have absolute faith in his heart based on a conjectural evidence hardly tangible or witnessed by him, yet concerning which he has no absolute certainty.

Consequently, the creedal foundations Allah Almighty has asked from us to have absolute certainty in, cannot rely on conjectural evidences such as lone narrator reports. They have to rely on information characterised by certainty, such as a

multiple narrator report (*mutawātir*), and clear-cut rational evidence, which can appeal to any reasonable person.

Nothing Shaykh Nāṣir used as evidence provided any proof that shows the opposite of what we or the majority of scholars have said. If this is established, then by necessity it is established that it is not permissible to practice *taqlīd* in that which Allah ﷻ ordered us to have certainty of belief in. This is because *taqlīd* is the result of not having the ability to perform *ijtihād* – and *ijtihād* is only valid in conjectural matters that carry various possibilities – as is obvious and known. The primary foundations of the religion that Allah ﷻ ordered us to have certainty in do not posses anything that is conjectural – as we clarified – hence, there is no scope for *ijtihād* therein, so how could *taqlīd* be allowed in it?

It cannot be said: One may be incapable of understanding evidences for creedal principles, therefore one needs to exercise *taqlīd* in them. That is only possible if one is required to delve into the domain of *ijtihād*, in other words, make judgments based on conjectural evidences, and deduce the requirements from them. But what is required from him in this case is to pay attention to necessary, absolute, and rational evidences, the understanding of which he has in common with other reasonable human beings.

That is why scholars agree that whoever says he believes in Allah Almighty because his father and teacher believe in Him, is not a true believer, nor is his belief acceptable. The least that can be said about a *muqallid* in creedal foundations is that he is sinful.

In the likelihood that the committee of research and authors hears this type of reasoning for the first time, and finds it exaggerated, or inconsistent with its position or with the book

Shaykh Nāṣir is about to release, I do ask from Shaykh Nāṣir that he read all that has been previously written by the Imāms and scholars on this issue. I ask that he read what al-Shāfi'ī has written in his *al-Risāla* starting with the chapter on knowledge till the end of the book. He may also read the section about *khabar* and *ijtihād* in al-Ghazālī's *al-Mustaṣfā*. He may read about the same topic in al-Āmidī's *al-Iḥkām*, or al-Shāṭibī's *Muwāfaqāt*, or any other books on 'Aqīdah. I ask that he read such books slowly and meticulously. If he comes across any difficult phrase or issue, he may ask others for help. By Allah, there is nothing wrong or shameful about that. It is not a light matter to have a saying in a dangerous and scholarly issue as this, such as one saying: 'I am of the opinion that these words and deductions are false' before he comprehends what scholars and researchers have written on the matter.

I hope the dignified Shaykh accepts this advice coming from an ignorant person such as myself, who should neither have an opinion, nor should be an author. Allah can make a fool utter words of wisdom sometimes!

7- Under the heading: 'Our Opinion of the Four *Mujtahid* Imāms', the author alleges that he and his brothers pay great homage to those Imāms, and acknowledge with gratitude their contributions, adding that the Imāms are their role models in terms of following the Qur'ān and the Sunnah...etc.

We say to that: This is nice to say, but, in reality, it lacks proof to back it. If what they say was true, we would not have seen foul language used against the Imāms by some of their best students and followers. If this was true, one of the co-authors of the book would not have said that Abū Ḥanīfa memorized only a few Ḥadīths. If this was true, then Shaykh Nāṣir's hand would not have written that dangerous and sinful statement in one of

his comments on the *Mukhtaṣar Ṣaḥīḥ Muslim* by al-Mundhirī. He said in that statement: "This clearly indicates that 'Īsā ﷺ shall rule according to our Sharī'ah, and shall follow the Holy Qur'ān and the Sunnah instead of the Bible or Ḥanafī *fiqh* or something like that!" In other words, Shaykh Nāṣir believes that Ḥanafī *fiqh*, like the Bible, is something totally different from the Islamic Sharī'ah, and all that is found in the Qur'ān and the Sunnah...

I seek Allah's forgiveness from this nonsense which no Muslim should ever say. We have provided a quote of what he said in one of the footnotes in this book.

How can we believe that he and his brothers follow in the footsteps of the four Imāms in regards to adhering to the Qur'ān and the Sunnah, and yet he is the one that explicitly expressed that the Ḥanafī Madhhab is, just like the Bible, something totally different from Islam?

Then the author invites people to exert a serious effort at unifying the Madhhabs and proposing ways of doing so. It seems he is under the illusion that such unification is as easy as compiling a bunch of papers or sticks together! It is quite strange that he invites people to unify the Madhhabs, and at the same time, he does not cease to ask them to exercise *ijtihād*!

We say what we have all along said, and what scholars and Imāms have always said until it became a well-known and undisputed matter: As for the rulings which are in common among the four Imāms, there is no controversy in them since they all agree on them. But those they do not agree on are the focus of research.

These areas of research are based upon conjectural evidence that carry multiple possibilities due to many reasons that are

known by those who are well grounded in the study of inferences found in [the works of] *uṣūl al-fiqh.* Due to this reason, the views regarding the inference of legal rulings shall differ, otherwise, they would not be considered conjectural evidences in the first place.

The problem with Shaykh Nāṣir is that he views the four Madhhabs through the prism of the ten or so issues with which he starts throwing a fit at scholars and Imāms. We reiterate our point to him that there is more to the four Madhhabs than those issues. There are issues related to dealings in trading, renting, usury, mortgage, and all kinds of cases related to civil matters such as marriage, divorce, wills on testaments, provisions, suckling, child custody, and child support, not to forget criminal cases such as felonies, proscribed punishments, etc… and duties such as *jihād*, fighting rebels, etc.

My only plea to this person is that he should read all of the research done on that in the books of *fiqh*, and only then he can give us his conclusions. Only then may he say, if he can, that Muslims should unify the four Madhhabs.

He may read, for example, [about] the six kinds of usury and the influence of that on what incurs usury. Let him try and understand that well from the standpoint of the four Madhhabs, and then he may give us his impressions as to how he should go about unifying the four Madhhabs in that issue alone.

8- The author reports on page 77, that I told people to uphold everything that was in the books of the Madhhabs, even if it was inconsistent with explicit and unambiguous evidences from the Qur'ān and the Sunnah. He alleges that I said that in my book on page 74-75 [corresponding with pages 69-70 in the English edition].

I ask my readers to look at what I said in my book. Do they find anything else other than what is contrary to this [claim]? I said on page 119 [corresponding with page 110 in the English edition]:

> If he encounters a Ḥadīth that is inconsistent with the position of the Imām he follows, and he ascertains the authenticity of that Ḥadīth and its relevance to the ruling, then he is to follow the evidence in the Ḥadīth and should abstain from following the Madhhab of his Imām in that particular matter.

If you find my words to be contrary to what this author has relayed, then what do you call this deed by any human moral standards, let alone the noble Islamic ethics?

On pages 84-85 [corresponding with pages 79-80 of the English edition], I explained that the name Muftī originally referred to the absolute *mujtahid*. Such was the case during the early years of Islam, and this is an established fact known to every researcher and student. You can find that in more detail in the introduction of *al-Majmū'* by al-Nawawī, and other books and encyclopedias on *fiqh*. I explained how the name Muftī was used metaphorically to refer to anyone who relayed to others rulings of Allah even though at times he himself was a *muqallid*, and not the source of such rulings. That is why scholars have said that if anyone gives a *fatwā* to others, he should mention to them the source of that ruling, rather than give them his opinion because he is, in fact, a scholar relaying rulings of the Madhhab he is giving *fatwā* in.

Shaykh Nāṣir's or Maḥmūd Mahdī's comment on that was based on the illusion that the Muftī and scholar semantically refer to the same thing, so he addresses Muslim scholars, asking

them if they would accept being labeled scholars only metaphorically! (p. 81)

Any child who studied *fiqh* and its methodology can tell the difference between a scholar and a Muftī. They have things in common, but they also have their absolute distinct meaning. Every Muftī is a scholar, but not every scholar is necessarily a Muftī.

As for the way he went about commenting on my words trying to address Muslim scholars, I find that very disgusting and unworthy of any attention on my part.

10- Under the heading, 'Why it is Unlawful to adhere to a Specific Madhhab', Shaykh Nāṣir and his colleague both tried to rebut the evidences I mentioned in this book in which I showed that it was not unlawful to adhere to a specific Madhhab as long as one did not think he had to (p. 88 and beyond). They did not address the evidences I brought. Their rebuttal amounted to no more than the following:

First: They argued, in their response, that adhering to a specific Madhhab is a *bid'ah*, and this, as anyone versed in the methodology of research knows, is not an evidence nor is it a rebuttal of an evidence, but is restating the point of contention which itself requires evidence.[35]

Second: They maintained that not adhering to a specific Madhhab is easier and closer to the understanding of

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[35] Known as 'rushing past what is sought'! It is when someone arguing with you regarding your enmity and cites an example of its opposite. So, as you see, this is not a proof, rather it only emphasizes the point of contention that itself is in need of a proof.

what Allah Almighty has intended. Consider this evidence, do you find any scholarly rebuttal of the evidences I brought, or is it a restatement of the claim itself?

Third: They argued that not adhering to a specific Madhhab is consistent with the separation between that which is infallible and that which is not infallible. Again, consider this evidence, do you find any rebuttal to the evidence I brought? Mind you, we went over this issue of what is infallible and what is not in other parts of the book, and we showed the ignorance engulfing their arguments.

Fourth: They said that the Companions and the pious ancestors till the third century of Islam intentionally avoided adhering to a specific Madhhab.

This is the only evidence, that, if correct, serves as a rebuttal to my argument. Let us look closely, is it true that in early Islam, people committed themselves to not adhering to a specific Madhhab?

Shaykh Nāṣir and his colleague deny it to be the truth when we said that the people of Iraq took *fiqh* from Ibn Mas'ūd and his Companions, and that the people of the Ḥijāz took it from Ibn 'Umar and his companions, and that there were those from among the Companions of the Prophet ﷺ who would not seek *fatwā* from anybody else other than Ibn Mas'ūd or Ibn 'Abbās for example.

What do they think then of Imām Ibn al-Qayyim's words in *I'lām al-Muwaqi'īn*, Vol. 1, p. 21, when he said:

> Religion, knowledge, and *fiqh* became widespread in the Ummah through the efforts of the companions of Ibn Mas'ūd, Zayd bin Thābit, 'Abdullāh bin 'Umar, and

> 'Abdullāh bin 'Abbās. Most people received their knowledge from the companions of those four. As for the people of Medina, they received their knowledge from the companions of Zayd bin Thābit and 'Abdullāh bin 'Umar, while the people of Mecca received it from the companions of 'Abdullāh bin 'Abbās. The people of Iraq received theirs from the companions of 'Abdullāh bin Mas'ūd.

This is what we know and what is known by most of those that have read and authored works in the history of the Islamic Sharī'ah, and this is what most of our Imāms and ancestors from olden times, may Allah have mercy on their souls, have always said.

What we know, and most researchers in history and the development of the Islamic Sharī'ah know is that 'Aṭā' bin Abī Rabāḥ and Mujāhid were distinguished for their *fatwās* in Mecca. By decree from the Caliph, and with the approval of the Companions and those who came after them, no one sought *fatwā* from anybody else other than those two Imāms. I ask the research and authors' committee, is adherence [to one specific Imām] anything other than that?

The author argues that I made a mistake in comparing Madhhabs to the different canonical readings of the Qur'ān. They think such a comparison is clearly faulty because the canonical readings are carried through multiple chains to the Prophet ﷺ himself, while the four Madhhabs are not. Madhhabs, they argue, contain what is right and what is wrong.

We reiterate our point here. As for the one who has attained a level in knowledge enabling him to tell right from wrong in the *fiqh* of Madhhabs, such a person is not supposed to follow Madhhabs in the first place, let alone commit himself to one. But in the case of someone who has not attained such a rank in

knowledge, all Madhhabs, according to him, will be the same. That is why scholars unanimously agree that he may follow whomsoever he wishes to follow because to him, all Madhhabs are the same. So, to him, Madhhabs are no different from the Qur'ānic readings which are all correct as far as the Muslim laymen are concerned. The four Madhhabs are equally right with regard to the layman who cannot tell the difference between right and wrong in the *ijtihād* of the Imāms. So what difference is there between the canonical readings and the Madhhabs for the one who is incapable of *ijtihād*, and is therefore required to be a *muqallid*?

Fifth: Shaykh Nāṣir and his two colleagues argued that my evidence in support [of following Madhhabs] wherein I mentioned the thousands [of scholars] that followed al-Shāfi'ī, the thousands that followed Mālik, Abū Ḥanīfa, and Aḥmad, of those that are filled in the books of *Ṭabaqāt* (biographical notices) is a false proof because all those thousands were upon falsehood. They cited many verses from the Qur'ān such as:

"Most of the people will not be believers, no matter how ardently you desire it." [Holy Qur'ān, 12: 103]

"Were you to obey most of those on earth, they will lead you away from the Path of Allah..." [Holy Qur'ān, 6: 116]

We try to have a more open and accepting attitude toward these brothers, and say to them what every seeker of knowledge needs to know. We say to them: There are texts in the Qur'ān and the Sunnah which prove what they said; namely that only a minority of the people is on the righteous path, and that most people are not believers – no matter how ardently you desire otherwise. However, there are authentic Ḥadīths that have almost reached the degree of multiple narrator reports in

meaning [*tawātur ma'nawī*] which order the Muslims to stick to the Jamā'ah (majority) and not to deviate from it.

Such Ḥadīths include the one narrated by Ibn Mājah through Anas bin Mālik who said that the Prophet ﷺ said: "There will come a time when my Ummah (nation) will splinter into seventy two parties all of which will be in Hellfire, save those who stick to al-Jamā'ah (majority)" In *al-Zawā'id*, al-Haythamī said that its chain is authentic and its narrators are reliable.

It was also narrated by al-Tirmidhī and Ibn Mājah, with an authentic chain of narration that 'Umar bin al-Khaṭṭāb said that the Prophet ﷺ said: "Stick to the majority and beware of separation. The Devil closely accompanies the solitary individual and is more distant from two, so whoever among you desires the centre of paradise should keep close to the Jamā'ah."

Al-Tirmidhī said that although this Ḥadīth is good (*ḥasan ṣaḥīḥ*), it is strange in this wording. It was also narrated by Ibn al-Mubārak through Muḥammad bin Sawqa. This Ḥadīth was also narrated differently from 'Umar to the Prophet ﷺ.

It was also narrated by al-Tirmidhī through Ibn 'Umar who said that the Prophet ﷺ said: "Verily my Ummah would not agree (or he said, 'the Ummah of Muḥammad') would not agree upon error and Allah's hand is over the group (al-Jamā'ah) and whoever dissents from them departs to Hell." Al-Tirmidhī said: "According to the people of knowledge, the Jamā'ah' is explained to refer to the *fuqahā'* and those of knowledge concerning Ḥadīth." Another Ḥadīth related to that is one narrated by the two Shaykhs [al-Bukhārī and Muslim] on the authority of Ḥudhayfa bin al-Yamān. He said:

> People used to ask the Messenger of Allah ﷺ about the good, but I used to ask him about evil times fearing lest it overtake me. I said, "O Messenger of Allah! We were in the midst of ignorance and evil, and then Allah brought us this good time (Islam). Is there any evil after this good?" He said, "Yes." I asked, "Will there be good after that evil?" He said, "Yes, but it will be mixed." I asked, "What will be the mix?" He said, "(That time will witness the rise of) people who will adopt ways other than mine and seek guidance other than mine. You will acknowledge good from them as well as bad." I asked, "Will there be any evil after this good?" He said, "Yes. (A time will come) when there will be people standing and inviting to the gates of Hell. Whosoever responds to their call, they will throw them into the fire." I said, "O Messenger of Allah! Describe them for us." He said, "They will be a people having the same complexion as ours and speaking our language." I said, "O Messenger of Allah! What do you advise if I happen to live in their time?" He said, "You should stick to the main body of the Muslims and their leader."

Many scholars have considered all of the various Ḥadīths that indicate this meaning to be at the level of *tawātur* in meaning. The scholars of *uṣūl al-fiqh* have considered these Ḥadīths to be of the most important supports for the legal validity of consensus. Al-Āmidī said that such Ḥadīths are the strongest evidence calling for [consensus being] a proof.

So, the verses the author cited, and those Ḥadīths, seem to contradict each other. What do we do then?

The scholar is the one, in this case, who dives deep into what is intended in each. He is the one to solve this apparent contradiction. The scholar does not rely on the superficial indication of such texts in order to prove that some who were mentioned in the books of *Ṭabaqāt* and biographies were misguided because they adhered to one of the four Madhhabs and did not desist.

As for the verses from the Qur'ān, they are meant for all of humanity, and this is a fact, without a shadow of doubt. Those who believe in Allah and who follow His religion on this earth are fewer than the white spots on the hide of a black ox. That is the strangeness meant by the Prophet ﷺ as well.

As for the Ḥadīths we cited, they mean the majority within the Islamic circle alone. So if we find differences in the ranks of Muslims and their scholars, the Qur'ān and the Sunnah shall serve as the criteria of judgments and rulings. The majority of scholars within Islamic lands are those that are closer than others to the Qur'ān and the Sunnah. Only the minority within Islamic lands, at any given time in history, were astray in terms of 'Aqīdah and rulings. The majority however, have always been a good example to follow in its adherence to the guidance of the Qur'ān and the Sunnah.

For example, the Khawārij, the Jahmiyya, the Murji'a, and the Qadariyya represent the rare minority in relation to the majority of Muslims. So according to Shaykh Nāṣir's and his colleagues' criterion, do they represent the right path? Who ever said that, and what Muslim would agree with you in this strange criterion for knowledge and learning?

11- I explained in this book that al-Shāfi'ī did not mean with his saying, "If the Ḥadīth is *Ṣaḥīḥ*, that is my Madhhab" that whenever you see an authentic Ḥadīth, then you are to

take the apparent meaning of the Ḥadīth, rather than al-Shāfi'ī's position. There are constraints to doing that, and we cited such constraints from Imām al-Nawawī.

The authors' committee, however, thinks that I misconstrued the meaning intended by Imām al-Nawawī. They say that he never said anything about not accepting any Ḥadīth except within those constraints.

I ask from those among the readers who know Arabic and semantics to read what al-Nawawī said (p. 164, Vol. 1, *al-Majmū'*, al-Munīriyya edition) starting with the sentence: "What al-Shāfi'ī said does not mean that every time someone encounters an authentic Ḥadīth he should say that this is the Madhhab of al-Shāfi'ī, and follow the apparent meaning of it." You know that we refer here to the *non-mujtahid*, a *muqallid* who follows al-Shāfi'ī, for example. Is he allowed to take the apparent meaning in a Ḥadīth, contrary to what al-Shāfi'ī suggests? If he is a *mujtahid*, however, all those constraints do no apply in his case. He is then considered on par with al-Shāfi'ī in terms of his ability to understand and deduce rulings.

12- Al-Istānbūlī and his colleagues dedicated two chapters in their book to a discussion titled, 'Why we ask People to go back to the Sunnah', and another titled, 'Our Arguments against Bigoted Madhhabism'. (From p. 116 to p. 232).

The author stuffed all those pages with what he could put together from the lapses of Imāms and *fuqahā'* throughout history and from those who followed their *fiqh*. He set out collecting examples of those who showed some bigotry, and also mentioned rare occurrences and cases of people who abandoned the Ḥadīth and followed the Madhhab.

He did not forget, in the meantime, to support his arguments using some of the contemporaries who are hardly known, but to whom he assigned great scholarly titles. He added what those contemporaries said to what he had collected, and started speaking with a simplicity appropriate for him, not forgetting in the process to append on occasion, foul names and epithets of stupidity and ignorance to respectable Imāms who bestowed the Islamic world with contributions that only Allah is capable of rewarding them for.

Having said that, he added:

> Now that you have clearly been shown this, dear reader, you can see how Dr. Būṭī was incorrect in criticizing al-Ma'ṣūmī's attitude toward the four Madhhabs when the latter said that the reason Madhhabs came about and became widespread, was caused by various political and other types of interests. (p. 222)

Our comment on that would be that we condemn *madhhabī* bigotry, and we see no use in wasting time on farfetched scenarios. We also condemn abandoning an authentic Ḥadīth which is inconsistent with a Madhhab, after verifying its real indication and meaning that goes against the Madhhab, in accordance with our previous discussion. All of that, however, does not lead us to 'throw the baby out with the bathwater' and say that Madhhabs came about as a result of despotic policies, nor does that entitle us, in the rules of Allah ﷻ or in accordance with ethical standards, to describe such *fuqahā'* as stupid or use other foul epithets against them. Those *fuqahā'* and Imāms upon whose banquet of contributions we subsist on today, are not Prophets Divinely protected from error. Despite their great virtue, they are still humans and it is conceivable that they could fall into error like any other person who is not infallible. A truly ethical person does not spend his entire life nitpicking their

occasional lapses in order to overshadow the feelings of gratitude he may have toward them. To the contrary, the ethical person sees in their contributions to the common good of people every reason to overlook or find an excuse for their slips.

I know that this man, the biggest insulter in the authors' committee, who has been nitpicking those blunders of Imāms and *fuqahā'*, should have come across as an immeasurable and inexhaustible treasure of scholarly research and *fiqh* that all the manmade laws are incapable of surpassing. He could have, in the least, availed himself from such treasure, and acknowledged the gratitude the Muslim world owes to such scholars. But the man did not benefit at all and rather chose to come back from his journey, boasting of the blunders he had managed to catch and bring them to show; blunders which do not undermine their contributions. Not only that, but he also added epithets of stupidity, ignorance, and misguidance right after listing those blunders.

This is in spite of the fact that the blunders he has discovered are only blunders in his own imagination, like the blunder he claimed to have found from Imām al-Shāfi'ī once and started ridiculing him for it saying: "al-Shāfi'ī allows a man to marry his daughter!"[36] If he were to read what al-Shāfi'ī had written about that, and if his mind was able to help him in that, he would return to his senses feeling defeated, and sticking to his job in teaching children.

I say to you, have you purified yourself from the stupidity, the ignorance, the misguidance, and the crookedness you ascribe to

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[36] He [Imām al-Shāfi'ī] means the daughter that was born out of wedlock, for legally, it is not his daughter, therefore there is nothing that would legally prevent him from marrying her.

those Imāms?[37] Have you made sure that you are pure of those things you ascribe to Imāms on whose banquet of contributions we subsist today, before you insult their dignity and honor?

Your Shaykh said, when defending al-Khajnadī, that we need to have good thoughts about Muslims who passed away, and that we need to overlook their lapses as much as we can. Did your Shaykh tell you that this noble Islamic principle only applies to al-Khajnadī and his ilk?

I ask you, by Allah, the Great Creator of all, if you believe in Him, did it not worry you that Allah may afflict you with an incurable distress for lashing with your tongue people who had spent all their lives serving the religion of Allah and His Sharī'ah? Did it not make you afraid that Allah might make you an example in front of others in this world and the Hereafter for what you have done?

I have never seen anyone more audacious than this man in insulting the honor of Imāms and *fuqahā'*. I ask the readers who read something like what this man has written, to seek refuge in Allah and abstain from undermining the Imāms and taking pleasure in nitpicking their lapses. They should read the chapter written by Imām al-Nawawī, in the introduction of *al-Majmū'*. He said: "A strong warning to anybody who brings injury or undermines the *fuqahā'* and students of learning, and the encouragement to respect them and safeguard their honor."

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[37] An example of what he accused the Imāms of is when he claimed that they sought to find loopholes in the Sharī'ah. I advise him and whoever wishes, to read our detailed work *Ḍawābiṭ al-Maṣlaḥa fī al-Sharī'at al-Islamiyya*, even though I am sure that this man cannot understand one page of it!

Toward the end of that discussion, he said, quoting al-Ḥāfiẓ bin 'Asākir:

> You should know, brother, may Allah enable us to please Him and gain His good pleasure, and make us one of those who truly fear Him, that the flesh of the scholars is poisonous. With regards to those that render the veils asunder and find fault, the way in which Allah deals [with such people] is well known. Whoever uses their tongue to mention the faults of the scholars, Allah will afflict them before their [bodily] death with the death of their hearts.

You could have easily warned against *madhhabī* bigotry, and wasted time in chasing after rare scenarios, the occurrence of which are almost impossible, and at the same, you could have respected all *fuqahā'*, defended them, and prayed for them. Your warning against bigotry does not necessarily mean that you have to ascribe stupidity and ignorance to the *fuqahā'*, directing insults at them, and turning them into a laughingstock at [your] gatherings.

13- I explained how al-Ma'ṣūmī cited words from al-Dihlawī in his book *al-Inṣāf*, which al-Dihlawī never said neither in *al-Inṣāf* nor in any other book of his. Al-Ma'ṣūmī alleged that al-Dihlawī had said:

> He who takes all the sayings of Abī Ḥanīfa, or those of Mālik, or al-Shāfi'ī, or Aḥmad, and others, but does not rely on what was mentioned in the Holy Qur'ān and the Sunnah, has gone against the consensus of Muslims, and has followed a path other than that of the believers.

I cited from *al-Inṣāf* something totally contrary to this quote that was doctored by al-Ma'ṣūmī. Al-Dihlawī said:

> Regarding the four Madhhabs that have been preserved and codified, the Ummah, or rather those that are counted amongst them till this day of ours, are in unanimous agreement that it is permissible to make *taqlīd* of them.

I was expecting from those who waged a campaign against me to look closely into the matter, and verify what I said. If what I said turned out to be true, they could agree with me, or at least pretend to be ignorant and keep silent. But they did not do any of that. Instead they started saying strange things. They tried to make it seem that al-Dihlawī said what al-Ma'ṣūmī quoted him as saying, even if that was by way of allusion and taking [his quotes] in a piecemeal fashion.

They said what al-Ma'ṣūmī cited from al-Dihlawī was right. This is in spite of the fact that al-Ma'ṣūmī had doctored the evidence. Imagine how anyone can do that!

The authors' committee said:

> We went back to al-Dihlawī's *Inṣāf*, and we found some of the things mentioned by al-Ma'ṣūmī. Here it is: "Know that people in the first and second century did not have consensus over *taqlīd* to one specific Madhhab [of course]. Abū Ṭālib al-Makkī said in *Qūt al-Qulūb* that books and collections were at that time new, and following *fatwās* in one Madhhab as well as adopting its positions in *fiqh* was not something practiced during the first and second centuries. Rather, people were of two categories, the laymen and the scholars. In issues of consensus in which there were no differences among the Muslims and most *mujtahids*, the [Muslims] would only follow the Lawgiver. If however, a novel event came upon them, they would seek *fatwā* from anyone available regardless of his Madhhab. Ibn Humām said toward the end of *al-Taḥrīr*: "They would

> sometimes seek *fatwā* of someone, and at other times seek *fatwā* of someone else without adhering to any specific Muftī."

When we went back to *al-Inṣāf* (Fārūq Press in Manṣūra, Egypt), we found out that this last line from the previous quote cited by them was not there at all. It was inserted by them.

I ask you, dear reader, do you find in this last quote any relation to the part that al-Ma'ṣūmī quoted and doctored from al-Dihlawī in the *Kurrās*?

Then the author tells us:

> As for the other part it can be found in *Ḥujjattullāh al-Bāligha*, Vol. 1, pages 154 and 155 and al-Dihlawī quotes it from Ibn Ḥazm, and here we present it as it is. Al-Dihlawī said: 'Ibn Ḥazm said: "*Taqlīd* is *ḥarām* (unlawful). No one is allowed to take anything without proof except for what the Prophet ﷺ had said…"'

Then he quoted at length what al-Dihlawī reported that Ibn Ḥazm had said including the part which I already mentioned – the one that al-Ma'ṣūmī wrongfully attributed to al-Dihlawī and is falsely ascribing to him. Then the author started lashing me with his tongue calling me all kinds of names such as a nasty liar and a fraud.

Let us now look at what al-Dihlawī truly said regarding Ibn Ḥazm in *Ḥujjattullāh al-Bāligha*, Vol. 1, page 123:

> Regarding the four Madhhabs that have been preserved and codified, the Ummah, or rather those that are counted amongst them till this day of ours, are in unanimous agreement that it is permissible to make *taqlīd* of them.

> Especially in these days, in which aspirations have severely diminished, caprice has been absorbed by the souls and everyone is amazed at their own opinions.

Then right after that al-Dihlawī said: "Concerning the view of Ibn Ḥazm wherein he said that *taqlīd* is *ḥarām* and that no one is allowed to take anything without proof except for what the Prophet ﷺ said ..." He then quoted Ibn Ḥazm in full and then said: "This applies to someone who is capable of *ijtihād* even in one issue." Then he went on to provide a lengthy discussion clarifying the prerequisites of *ijtihād*, and went on clarifying the well known truth in this matter.

So what did those people who accused me of nastiness and lying do? They omitted the part I just quoted, then they took al-Dihlawī's relative clause in which he reported what Ibn Ḥazm had said, and did away with the subject as well as the predicate of that quote, thereby giving the illusion that al-Dihlawī had agreed to what Ibn Ḥazm had said, and that he said what they wanted him to say, although he (may Allah have mercy on his soul) was innocent of that as it is clear to anyone by now.

I could have easily ignored all this forgery and risen above all this nonsense, but my commitment to Allah, knowledge, and ethics calls upon me to warn Muslims against such people who commit those kinds of deeds. They are the ones who are trying to proselytize others into their ways. Those are the people that are asking others to entrust them with their faith, and with the Ḥadīths narrated by the Prophet ﷺ.

To those who think that I may be too harsh on them, I ask that they refer back in *Ḥujjattullāh al-Bāligha*, to the very page I cited from, and that they also get a copy of *al-Madhhabiyya al-Muta'aṣṣiba Hiya al-Bid'ah*, and go to page 287. Let them after

that draw the conclusion that any reasonable person would.[38]

14- The author's take on us on page 245 is that we cited paragraphs from Imām al-Dhahabī and we have omitted most of the discussion. So to him, I was a talented interpolator!

We say to the research and authors' committee that we cited the words of Imām al-Dhahabī in the context of discussing the

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[38] We cannot help but address any educated Muslim who has faith in this man and his ilk. What is the ruling concerning someone who omits the relative clause: "Concerning the view of Ibn Ḥazm wherein he said that *taqlīd* is *ḥarām* and ... This applies to someone who is capable of *ijtihād* even in one issue." Then he takes everything else around that clause to support his argument attributing it to the author he cited from? You saw something similar to that when he cited al-Shāṭibī, may Allah have mercy on his soul. You also saw his comment on Ḥanafī *fiqh* having, like the Bible, no affinity to Islam. If it is out of ignorance – though it is not – we would say it is a slip of the tongue, and the man will eventually come to his senses. We ask the educated Muslims: What is the ruling in regards of someone who doctors the quotes from the sources he cites in order to give exactly the opposite of what their authors intended for the sake of giving people the impression that his arguments are correct? What is the ruling in the case of someone who does not only do that in the case of the *ijtihāds* of the Madhhabs but also in the case of the Holy Qur'ān and the Sunnah? Where is the objectivity and integrity in this style of conducting research? How can any Muslim feel at ease and follow those people's *ijtihād* in religion, their citing of the Ḥadīths and their *fatwās*? I ask those questions to anyone who can see with his eyes, reason with his mind, and is sincere to his faith in his heart. I hope that all Muslim scholars answer this question, and clarify their positions which are also that of Islam toward such people. We are awaiting the answer.

fact that he did not deem it unlawful for a *muqallid* to adhere to a specific Madhhab. The paragraphs we cited from him themselves serve as evidence since he praised Ḥanafī *fuqahā'*, and commended them for adhering to the Madhhab of Abū Ḥanīfa. He praised the Shāfi'ī *fuqahā'* and commends them for adhering to the Madhhab of Muḥammad bin Idrīs al-Shāfi'ī. He said similar things regarding the followers of Imām Mālik and Aḥmad. You know by now that those people were committed to a particular Madhhab. The books on *Ṭabaqāt* are replete with their biographies, yet the committee of research and authors maintain, elsewhere in the book, that all those people were misguided, and that they had followed a path other than that of the believers, supporting their accusation against such people with the following verse from the Qur'ān: "Were you to obey most of those on earth, they will lead you away from the Path of Allah..." [Holy Qur'ān, 6: 116].

The rest of his discussion focused on forbidding those that followed these Madhhabs from blameworthy bigotry, and to abstain from thinking that theirs was the best Madhhab to follow. This does not contradict his previous statement, and it is something we have no difference over with anyone else. It is not a disputable matter. We pointed out the content of what we left out from the discussion. We did not do what the research and authors' committee did when they omitted the subject and the predicate from al-Dihlawī's quote, leaving in the relative clause as evidence for something al-Dihlawī himself did not agree with.

15- The author criticized us in regards to some Ḥadīths in the book *Fiqh al-Sīrah* (Jurisprudence of the Prophetic Biography) whose rulings on the chain of transmission we thought Shaykh Nāṣir might have erred. In short, our comment was that a Ḥadīth referring to one event but narrated from more than one source, should, when used, not only point out

the weak and good (ḥasan) source, while leaving out the more reliable and authentic source. This is what Ḥadīth scholars have always tried to avoid. For example, the Ḥadīth in regards to the Companions being led in prayer by Abū Bakr ﷺ, and the latter being led in prayer by the Prophet ﷺ during the illness he died from, is one that is related to one non-recurrent event. Yet, it would not suffice, when using it, to mention Aḥmad and Ibn Mājah, although the Ḥadīth was unanimously agreed upon. There might have been some differences in utterances or in the chain of narration. In spite of that, it would be better to list all the different versions of narrations, pointing out such differences in utterances and the specific source of each version, or saying: 'It is agreed upon and this wording is from so and so.'

Another Ḥadīth is the one narrated by 'Ā'isha ﷺ describing the throes of death of the Prophet ﷺ. Narrated al-Bukhārī, Ibn Mājah, al-Tirmidhī, and others that 'Ā'isha ﷺ said: "The Prophet ﷺ had a kettle of water in which he dipped his hands to wipe his face." Here the narrations differed as to what the Prophet ﷺ said exactly. Al-Bukhārī narrated that he said: "There is no god but Allah, indeed death has strong pangs." Al-Tirmidhī, Ibn Mājah, and al-Nasā'ī, however, narrated that he said: "O Allah, help me in these moments of overwhelming death, or the pangs of death."

We commented in *Fiqh al-Sīrah* on Shaykh Nāṣir's referencing of only the weak version of this Ḥadīth. We said:

> It is only weak in this wording, but al-Bukhārī narrated the authentic version. If there are two versions of the same Ḥadīth, then one should not only use the weak version, but should also use other versions regardless of the differences in wording as long as the two versions point to the same event. (*Fiqh al-Sīrah*, p. 536).

In another Ḥadīth, we have the opposite situation. It has two sources each of which relates a different event. It was narrated in Ibn Sa'd's *Ṭabaqāt* that the Prophet ﷺ said to the two emissaries sent by Bādhān, the representative of Chosroes in Yemen, and their faces were completely shaved and their mustaches were full and wide: "Woe unto you! Who ordered you with this?" They replied: "Our Lord" – meaning Chosroes.

This version of the narration is only from Ibn Jarīr. Ibn Sa'd also mentioned it but without including the last statement. As for what Ibn Sa'd narrated in another place, was that a Majūsī with a large moustache but no beard came to the Prophet ﷺ, and the Prophet ﷺ asked him who ordered him to do that, the Majūsī answered: "My Lord." Then the Prophet said: "But my Lord ordered me to leave my beard and trim my moustache."

As anyone can see, this clearly refers to another incident. In other words, the Majūsī is not one of the two messengers sent by Bādhān, and whose story Sa'd told without including the last discourse at all.

Since there were two incidents, it follows then that there are two different Ḥadīths. In this case, every Ḥadīth, when cited, should include reference to its source of narration.

What Shaykh Nāṣir did was that he mentioned only one source in different narrations of the same Ḥadīth, when he should have mentioned all the sources. On the other hand, he combined the sources of two different Ḥadīths as one, when he should have mentioned each narration as belonging to a different Ḥadīth and event.

In fact, our comments in regards to Shaykh Nāṣir in our book *Fiqh al-Sīrah* were many, but the committee did not address other than those three. In spite of that, the matter is not a big

deal. We did not intend through such comments to belittle, jab at, or deride anybody. These are blunders any researcher or scholar may commit. But it is a big deal if one does not accept advice, but instead wields the shield of claiming infallibility and arrogance in the face of such advice!

As for his take on us in regards to the Ḥadīth about the marriage of the Prophet ﷺ to Zaynab bint Jaḥsh [in our book *Kubrā al-Yaqīniyāt*], we did not authenticate a weak Ḥadīth, but we presented a known version of it narrated by al-Ṭabarī and others. Some people, though, misconstrue the Ḥadīth, and may have ill thoughts in regards to it, so we tried to explain that this narration, even if it was authentic, it does not imply any deficiency in the Prophet ﷺ. In the second edition of that book which is about to be released, we included a detailed comment explaining this issue.

As for his take on us in regards to the narration of the Ḥadīth of Mu'ādh about *ijtihād*, we did not quote what Ibn al-Qayyim said about it except that we also knew that some scholars were of the opinion that it was weak. We do however say, what Ibn al-Qayyim and others have said, that a Ḥadīth gains strength when scholars receive it well and accept it. It was said in *Tadrīb al-Rāwī* as many have reported: "A Ḥadīth is deemed accurate if people receive it well even if the chain of narration is not accurate." Ibn 'Abdul Barr and Abū Isḥāq al-Isfarāyīnī were quoted saying similar. (p. 24, Namnakānī Press).

If Shaykh Nāṣir has a different opinion in that, he may stick to it, but he cannot force it on us, nor can he ask us not to be satisfied with Shu'ba or others. Similarly, we cannot ask him not to be satisfied with Ibn Taymiyya who was mentioned more than once in his book. I am not one of the narrators in the chain [of the Ḥadīth], lest I am considered a fraud.

16- The authors commented on the debate between Shaykh Nāṣir and myself right after the release of the first edition of my book. Their comments were not worthy of any attention on my part.

However, I say that the only way to know what happened in that debate is to listen to the recording from the beginning till the end. I recorded it, and gave Shaykh Nāṣir a copy of it as he requested. It is now available in the hands of many, and was broadcast in many cities. I reiterate here what I told Shaykh Nāṣir in a letter to him: I have absolutely no objection to having this debate published as long as it is published in its entirety, and no word is changed in it whatsoever.

17- As for the foul language, and the insults, which form the backbone of their book, I say from the bottom of my heart, with no pretenses: If I deserve such insults, then I ask Allah to help mend my ways and guide me to His righteous path. If I do not deserve them, I ask Allah that he forgive whoever said such insults against me, and that He purify my heart from any resentment against anyone with whom I share the honor of believing in Allah and His Prophet ﷺ.

18- In the conclusion of their book, the authors advised me to stop writing for five years.

I ask myself: What is it that is standing between myself and writing today? As for fame, I have attained more than I expected or wanted. As for money, Allah has bestowed upon me more than I need. As for people's praise of me, I also got more than I deserve. I came to believe that none of that is of any good compared to a well-wishing Muslim praying for me in secret.

As Allah is my Witness, there is one verse in the Qur'ān that keeps me writing. I have always prayed and wished that Allah ﷻ would consider me as one of those mentioned in that verse: "Who is better in speech than the one who calls (men) to Allah, works righteousness, and says: 'I am of the Muslims.'" [Holy Qur'ān, 41:33]

I hope that Allah ﷻ considers me among those who invite others (through Da'wah) to His religion, and among those who follow His Sharī'ah even if I am less than they, and do not deserve their status.

In spite of that, I will not hesitate to stop writing if I get a *fatwā* from someone whose faith, knowledge, and sincerity I am satisfied with. Some people are better when silent than when they speak.

Finally, I ask forgiveness from the brother whose name the authors of the book have used. I have nothing to say, and I hope he understands that I found no need to say anything to him.

We conclude with this prayer: Thanks be to Allah, Lord of the Universe.

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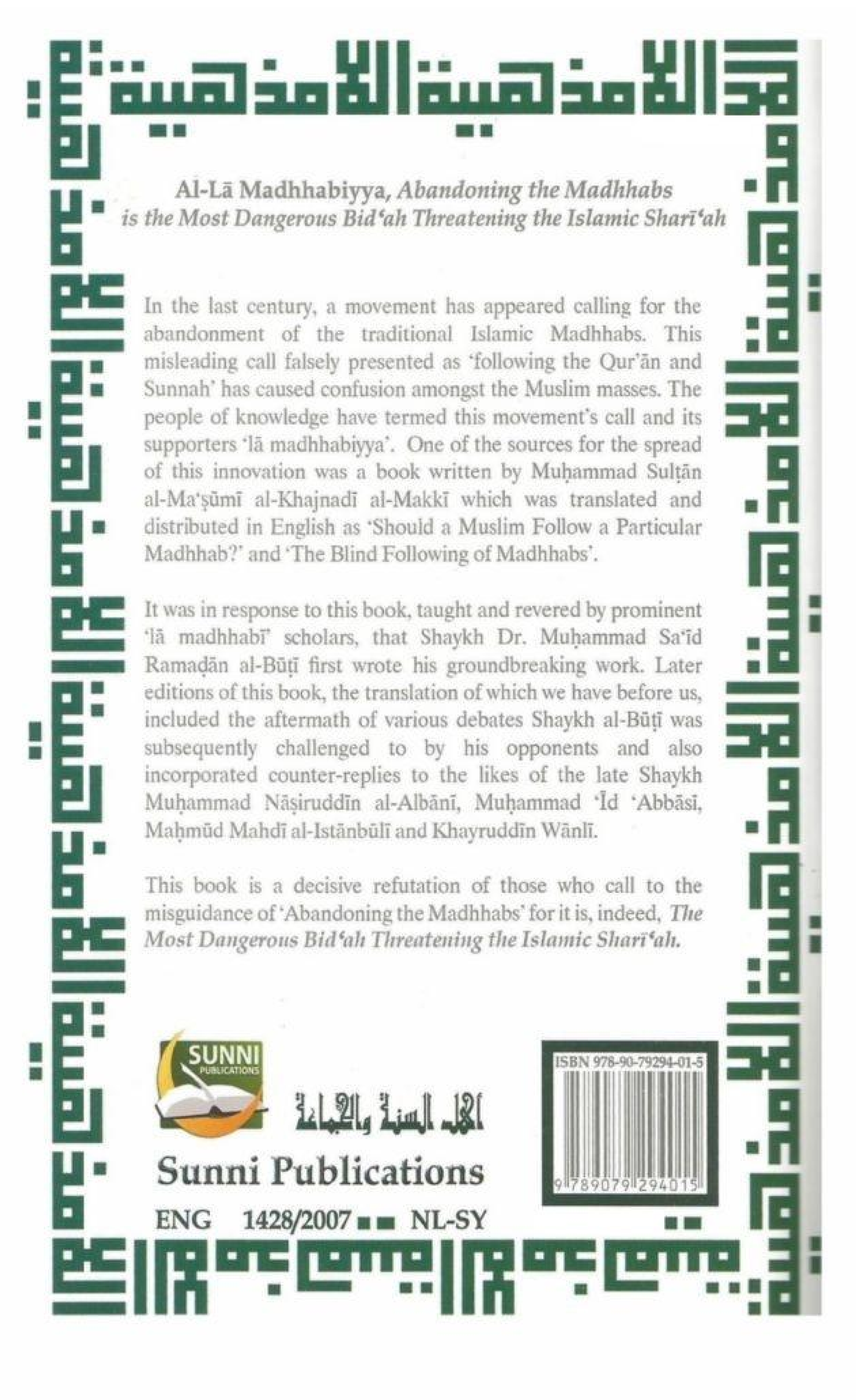
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Al-Lā Madhhabiyya, ***Abandoning the Madhhabs is the Most Dangerous Bid'ah Threatening the Islamic Sharī'ah***

In the last century, a movement has appeared calling for the abandonment of the traditional Islamic Madhhabs. This misleading call falsely presented as 'following the Qur'ān and Sunnah' has caused confusion amongst the Muslim masses. The people of knowledge have termed this movement's call and its supporters 'lā madhhabiyya'. One of the sources for the spread of this innovation was a book written by Muḥammad Sulṭān al-Ma'ṣūmī al-Khajnadī al-Makkī which was translated and distributed in English as 'Should a Muslim Follow a Particular Madhhab?' and 'The Blind Following of Madhhabs'.

It was in response to this book, taught and revered by prominent 'lā madhhabī' scholars, that Shaykh Dr. Muḥammad Sa'īd Ramaḍān al-Būṭī first wrote his groundbreaking work. Later editions of this book, the translation of which we have before us, included the aftermath of various debates Shaykh al-Būṭī was subsequently challenged to by his opponents and also incorporated counter-replies to the likes of the late Shaykh Muḥammad Nāṣiruddīn al-Albānī, Muḥammad 'Īd 'Abbāsī, Maḥmūd Mahdī al-Istānbūlī and Khayruddīn Wānlī.

This book is a decisive refutation of those who call to the misguidance of 'Abandoning the Madhhabs' for it is, indeed, *The Most Dangerous Bid'ah Threatening the Islamic Sharī'ah.*

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